

## **EXHIBIT 6**

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| <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF VIRGINIA</p> <p>3 Richmond Division</p> <p>4</p> <p>5 -----+</p> <p>6 ePLUS iNC.,  </p> <p>7 Plaintiff,  </p> <p>8 vs.   Civil Action No.</p> <p>9   3:09-CV-620 (JRS)</p> <p>10 LAWSON SOFTWARE, INC.,  </p> <p>11 Defendant.  </p> <p>12 -----+</p> <p>13 Videotaped 30(b)(6) Deposition of</p> <p>14 LAWSON SOFTWARE, INC.</p> <p>15 BY AND THROUGH ITS REPRESENTATIVE</p> <p>16 JEFFREY L. HVASS</p> <p>17 Washington, DC</p> <p>18 June 8, 2010</p> <p>19 10:00 a.m.</p> <p>20 Job No. 1-180349</p> <p>21 Pages 1 - 252</p> <p>22 Reported by: Michele E. Eddy, RPR, CRR, CLR</p> | <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 ON BEHALF OF THE PLAINTIFF:</p> <p>4 MICHAEL STRAPP, ESQUIRE</p> <p>5 Goodwin Procter</p> <p>6 Exchange Place</p> <p>7 53 State Street</p> <p>8 Boston, Massachusetts 02109</p> <p>9 Telephone: (617) 570-1658</p> <p>10 - AND -</p> <p>11 JAMES D. CLEMENTS, ESQUIRE</p> <p>12 JENNIFER A. ALBERT, ESQUIRE</p> <p>13 Goodwin Procter</p> <p>14 901 New York Avenue, Northwest</p> <p>15 Washington, DC 20001</p> <p>16 Telephone: (202) 346-4000</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> |
| <p>1 Videotaped Deposition of</p> <p>2 JEFFREY L. HVASS</p> <p>3</p> <p>4 Held at the offices of:</p> <p>5 GOODWIN PROCTER, LLP</p> <p>6 901 New York Avenue, Northwest</p> <p>7 Washington, DC 20001</p> <p>8 (202) 346-4000</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16 Pursuant to Notice, before Michele E. Eddy,</p> <p>17 Registered Professional Reporter, Certified Realtime</p> <p>18 Reporter, and Notary Public in and for the District of</p> <p>19 Columbia.</p> <p>20</p> <p>21</p> <p>22</p>   | <p>1 ATTENDANCE, Continued</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANT:</p> <p>4 WILLIAM D. SCHULTZ, ESQUIRE</p> <p>5 Merchant &amp; Gould</p> <p>6 3200 IDS Center</p> <p>7 80 South Eighth Street</p> <p>8 Minneapolis, Minnesota 55402</p> <p>9 Telephone: (612) 332-5300</p> <p>10</p> <p>11 ALSO PRESENT:</p> <p>12 David Bayles, Videographer</p> <p>13 Brooks L. Hilliard, CMC, CCP</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>  |

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| <p>5</p> <p>1 EXAMINATION INDEX</p> <p>2 PAGE</p> <p>3 EXAMINATION BY MR. STRAPP . . . . . 7, 209</p> <p>4 EXAMINATION BY MR. SCHULTZ . . . . . 188, 235</p> <p>5</p> <p>6</p> <p>7</p> <p>8 EXHIBITS</p> <p>9 (Attached to the Transcript)</p> <p>10 DEPOSITION EXHIBIT PAGE</p> <p>11 Exhibit 1 ePlus' Fifth Notice of Deposition 9</p> <p>12 Exhibit 2 Deposition Points 29</p> <p>13 Exhibit 3 e-mail sent to Jeff Hvass dated 6-3-10 75</p> <p>14 from Bob Geiger; re: ePlus patent</p> <p>15 litigation-6.1 RQ program compiled</p> <p>16 information</p> <p>17 Exhibit 4 Letter from Attorney Schultz to Jeff 182</p> <p>18 Hvass dated 5-27-10</p> <p>19 Exhibit 5 Screen shots 218</p> <p>20 Exhibit 6 109-page document; WIP60_mod.txt 223</p> <p>21 Exhibit 7 Document, Support_mod.txt 229</p> <p>22 Exhibit 8 Document, Cyclical_mod.txt 232</p>   | <p>7</p> <p>1 Would the reporter please swear in the</p> <p>2 witness.</p> <p>3 PROCEEDINGS</p> <p>4 JEFFREY L. HVASS,</p> <p>5 having been duly sworn, testified as follows:</p> <p>6 EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>7 BY MR. STRAPP:</p> <p>8 Q Mr. Hvass, could you please state your full</p> <p>9 name for the record?</p> <p>10 A It's Jeffrey Lee Hvass, H-V-A-S-S.</p> <p>11 Q What is your current address?</p> <p>12 A My current address is 3493 Crestmoor Point</p> <p>13 in Woodbury, Minnesota, 55125.</p> <p>14 Q And are you currently employed by Lawson</p> <p>15 Software?</p> <p>16 A Yes, I am.</p> <p>17 Q What is your current title there?</p> <p>18 A I'm a solution consultant for our services</p> <p>19 industries.</p> <p>20 Q Do you understand today that I'm going to be</p> <p>21 asking questions and you're going to be providing</p> <p>22 answers during this deposition?</p>  |
| <p>6</p> <p>1 THE VIDEOGRAPHER: Here begins tape number 1</p> <p>2 in today's deposition of Jeff Hvass in the matter of</p> <p>3 ePlus, Inc. V. Lawson Software, Inc. in the United</p> <p>4 States District Court for the Eastern District of</p> <p>5 Virginia, Richmond Division, Civil Action Number</p> <p>6 3:09-CV-620 REP.</p> <p>7 Today's date is June 8th, 2010. The time is</p> <p>8 10:08 a.m. The videographer is David Bayles. This</p> <p>9 deposition is taking place at 901 New York Avenue,</p> <p>10 Northwest, in Washington, D.C.</p> <p>11 Counsel, please voice identify yourselves</p> <p>12 and state whom you represent.</p> <p>13 MR. STRAPP: Michael Strapp with Goodwin</p> <p>14 Procter for the plaintiff ePlus.</p> <p>15 MR. CLEMENTS: Jimmy Clements, Goodwin</p> <p>16 Procter, plaintiff ePlus.</p> <p>17 MS. ALBERT: Jennifer Albert with Goodwin</p> <p>18 Procter for the plaintiff ePlus.</p> <p>19 MR. SCHULTZ: William Schultz of Merchant &amp;</p> <p>20 Gould for Lawson Software, Incorporated.</p> <p>21 THE VIDEOGRAPHER: The court reporter is</p> <p>22 Michele Eddy of Merrill L.A.D.</p> | <p>8</p> <p>1 A Yes.</p> <p>2 Q And do you understand that you're under an</p> <p>3 obligation to provide truthful and honest answers just</p> <p>4 as you would be in a court of law?</p> <p>5 A Yes.</p> <p>6 Q If any of my questions are unclear, I will</p> <p>7 ask you to let me know, but if you -- but if you</p> <p>8 answer my questions, I will assume that you understood</p> <p>9 them. Is that fair?</p> <p>10 A That is fair.</p> <p>11 Q And if you need to take a break, let me</p> <p>12 know. But if a question is pending, I'll ask you to</p> <p>13 please answer the question.</p> <p>14 You also need to answer the questions</p> <p>15 verbally because the court reporter will be taking</p> <p>16 down everything that we say today. Understood?</p> <p>17 A Understood.</p> <p>18 Q Is there any reason that you feel you would</p> <p>19 be unable to give me truthful and accurate answers</p> <p>20 today to my questions?</p> <p>21 A No.</p> <p>22 Q Have you ever been deposed before?</p> |

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| <p>9</p> <p>1 <b>A Yes.</b></p> <p>2 Q On how many occasions?</p> <p>3 <b>A One other time.</b></p> <p>4 Q And what were -- what were the circumstances</p> <p>5 of the lawsuit in which you were deposed?</p> <p>6 <b>A I had sued a home builder on a water</b></p> <p>7 <b>intrusion issue in my home.</b></p> <p>8 Q Have you ever testified at a trial?</p> <p>9 <b>A No, I have not.</b></p> <p>10 <b>(Exhibit 1 was marked for identification and</b></p> <p>11 <b>attached to the deposition transcript.)</b></p> <p>12 <b>BY MR. STRAPP:</b></p> <p>13 Q I've asked the court reporter to mark as</p> <p>14 Exhibit 1 plaintiff ePlus' Fifth Notice of Deposition,</p> <p>15 and it's now in front of you. Could you take a</p> <p>16 moment, please, to review pages 10 and 11 of the</p> <p>17 document. There are a list of eight deposition</p> <p>18 topics. After you've had a moment to review them, I</p> <p>19 want to ask a few questions about those topics,</p> <p>20 please.</p> <p>21 <b>A Okay.</b></p> <p>22 Q Do you understand that Lawson Software has</p> | <p>11</p> <p>1 Q Please -- please take a moment to review</p> <p>2 those topics.</p> <p>3 <b>A Okay.</b></p> <p>4 Q Do you understand that ePlus requested from</p> <p>5 Lawson the opportunity to inspect a live, fully</p> <p>6 functional version of Lawson Software release 6.0?</p> <p>7 <b>A Yes.</b></p> <p>8 Q And can you tell me now here today which</p> <p>9 versions of the Lawson Software system you will be</p> <p>10 providing ePlus with an opportunity to inspect?</p> <p>11 <b>A Today I can show you 5.0, 6.0 and 6.1</b></p> <p>12 <b>systems.</b></p> <p>13 Q And are you prepared as Lawson's corporate</p> <p>14 representative to demonstrate how these three</p> <p>15 different versions of the Lawson Software systems</p> <p>16 function?</p> <p>17 <b>A Yes.</b></p> <p>18 Q How did you prepare for the deposition</p> <p>19 today?</p> <p>20 <b>A First I went through and read the</b></p> <p>21 <b>documentation that was provided me by Lawson on the</b></p> <p>22 <b>existing systems of 6.0 and 5.0. And then I got on</b></p>   |
| <p>10</p> <p>1 designated you as a corporate representative to</p> <p>2 provide deposition testimony here today about each of</p> <p>3 these topics on pages 10 and 11?</p> <p>4 <b>A Yes.</b></p> <p>5 Q And are you prepared to testify on behalf of</p> <p>6 Lawson with respect to topics 1 through 8 on pages 10</p> <p>7 and 11 of this deposition notice?</p> <p>8 <b>A Yes.</b></p> <p>9 Q Do you believe that you have the requisite</p> <p>10 knowledge to provide testimony today about each of the</p> <p>11 topics?</p> <p>12 <b>A Yes.</b></p> <p>13 Q Can you -- are you -- let me ask you a</p> <p>14 question as well. Are you prepared to provide</p> <p>15 demonstrations of the Lawson Legacy software systems</p> <p>16 that your counsel has indicated you will be</p> <p>17 demonstrating today?</p> <p>18 <b>A Yes.</b></p> <p>19 Q Turn to page 12 for a moment of the</p> <p>20 deposition notice. Do you see that there are two</p> <p>21 topics listed on that page?</p> <p>22 <b>A Uh-hmm, yes.</b></p>   | <p>12</p> <p>1 <b>operational systems about a week ago and went through</b></p> <p>2 <b>them and refreshed my knowledge. And then reviewed</b></p> <p>3 <b>with counsel what the matters were to be discussed</b></p> <p>4 <b>today.</b></p> <p>5 Q Which documentation did you review to become</p> <p>6 familiar with the Lawson 6.0 and 5.0 systems?</p> <p>7 <b>A I was provided by Lawson's counsel user and</b></p> <p>8 <b>training guides on 6.0 and 5.0 applications that were</b></p> <p>9 <b>provided to me, and I reviewed them and then got</b></p> <p>10 <b>online to see the -- see the systems running live</b></p> <p>11 <b>again.</b></p> <p>12 Q Do you recall any of the specific titles or</p> <p>13 the modules that those user and training guides for</p> <p>14 6.0 and 5.0 pertain to?</p> <p>15 <b>A The purchase order guide was the main one.</b></p> <p>16 <b>It was purchase order training specifically. And</b></p> <p>17 <b>there was general ledger in there also were the main</b></p> <p>18 <b>two guides I looked at.</b></p> <p>19 Q And then you testified that you also got</p> <p>20 online to see the systems running live.</p> <p>21 <b>A That's correct.</b></p> <p>22 Q Can you explain to me what you -- what you</p> |

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| <p>13</p> <p>1 mean by you got online to see the systems running</p> <p>2 live?</p> <p>3 <b>A I had two interfaces put on my machine, and</b></p> <p>4 <b>one was to get on a UNIX server for the 5.0 and 6.0</b></p> <p>5 <b>systems, and then I also got a user interface to get</b></p> <p>6 <b>on the 6.1 system, which is in the AS/400 system. And</b></p> <p>7 <b>then I signed on to our systems and then brought up</b></p> <p>8 <b>each of the application modules and reviewed them and</b></p> <p>9 <b>processed transactions and got them running in the</b></p> <p>10 <b>system and set up some data so systems could run.</b></p> <p>11 Q Who put the two interfaces on your machine?</p> <p>12 <b>A A gentleman by the name of Roger Shimada did</b></p> <p>13 <b>that work for me from Lawson.</b></p> <p>14 Q And where did he obtain those interfaces to</p> <p>15 put on your machine?</p> <p>16 <b>A From Lawson's corporate MIS group supplied</b></p> <p>17 <b>those.</b></p> <p>18 Q Can you describe for me what each of those</p> <p>19 interfaces consist of?</p> <p>20 <b>A One is an IBM piece of software that</b></p> <p>21 <b>provides a 5150 emulation to a 6.1 AS/400 system.</b></p> <p>22 <b>Another one is a UNIX Telnet session that provides the</b></p> | <p>15</p> <p>1 <b>A Roger Shimada.</b></p> <p>2 Q How do you spell his last name?</p> <p>3 <b>A I couldn't tell you. I could get it for you</b></p> <p>4 <b>if you need it.</b></p> <p>5 Q Well, let me back up a minute. Are these --</p> <p>6 are these systems that you're familiar with from your</p> <p>7 personal experience at Lawson?</p> <p>8 <b>A Yes.</b></p> <p>9 Q How long have you been employed at Lawson?</p> <p>10 <b>A 27 years.</b></p> <p>11 Q So you began working at Lawson in 1983?</p> <p>12 <b>A 1983 is correct.</b></p> <p>13 Q Can you briefly review for me the various</p> <p>14 positions you've held at Lawson starting with your</p> <p>15 first job there in 1983?</p> <p>16 <b>A I was hired in -- on May 2nd of 1983 to be a</b></p> <p>17 <b>system 38 sales representative for Lawson in the</b></p> <p>18 <b>western half of the United States. I did that job for</b></p> <p>19 <b>approximately three years.</b></p> <p>20 <b>In 1986 I became a regional sales manager.</b></p> <p>21 <b>I moved out to California in 1987 to start Lawson's</b></p> <p>22 <b>first remote office, and I was a regional sales</b></p> |
| <p>14</p> <p>1 <b>interface that goes into our UNIX systems.</b></p> <p>2 Q And what is the release date of the IBM</p> <p>3 software that provides the 50 -- is it 5150 emulation?</p> <p>4 <b>A Yes, it might be 5150 or 5250. I'm not</b></p> <p>5 <b>sure. It's the green screen version of the systems.</b></p> <p>6 <b>It copyrights -- copyrights back to the 1980s. That's</b></p> <p>7 <b>all I know about that specific version.</b></p> <p>8 Q And what's the release date of the emulator</p> <p>9 that allows you to -- is it Telnet --</p> <p>10 <b>A Telnet.</b></p> <p>11 Q -- UNIX system?</p> <p>12 <b>A I don't know what the date is.</b></p> <p>13 Q And is that -- are those interfaces licensed</p> <p>14 by Lawson Software?</p> <p>15 <b>A Yes, I assume they are.</b></p> <p>16 Q Are they licensed from IBM?</p> <p>17 <b>A I don't know.</b></p> <p>18 Q When were these interfaces placed on your</p> <p>19 work station at Lawson?</p> <p>20 <b>A Last Thursday they were put on my system.</b></p> <p>21 Q And did you ask -- what was the name of the</p> <p>22 gentleman who placed them?</p>  | <p>16</p> <p>1 <b>manager there until 1990.</b></p> <p>2 <b>In 1990 I came back to the twin cities,</b></p> <p>3 <b>Minneapolis and St. Paul, and I was a sales</b></p> <p>4 <b>representative for our procurement distribution</b></p> <p>5 <b>systems for about a year through 1991.</b></p> <p>6 <b>And then Lawson broke its sales force up</b></p> <p>7 <b>into salespeople that managed the accounts and people</b></p> <p>8 <b>who demonstrate and managed the actual presentation of</b></p> <p>9 <b>our software. I did that job from 1991 through 1997.</b></p> <p>10 Q Let me just stop you there for a second.</p> <p>11 <b>A Go ahead.</b></p> <p>12 Q You said Lawson broke its sales force up</p> <p>13 into sales people that managed the accounts into</p> <p>14 salespeople who demonstrated and managed the</p> <p>15 presentation.</p> <p>16 <b>A Of our software.</b></p> <p>17 Q Of the software.</p> <p>18 Which side of that divide were you on from</p> <p>19 the --</p> <p>20 <b>A I was on the presentation of the software</b></p> <p>21 <b>systems.</b></p> <p>22 Q Okay, go ahead. I'm sorry.</p>                                  |

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| <p style="text-align: right;">17</p> <p>1       <b>A</b>   And then from 1997 through 1999, I worked in</p> <p>2       our partner program setting up and working with</p> <p>3       partners of Lawson who help resell our software. And</p> <p>4       I was the -- I trained our partners on how to sell and</p> <p>5       install and run Lawson in a demonstration environment.</p> <p>6       I also helped them present our solutions. And I had a</p> <p>7       team of three or four individuals who also helped in</p> <p>8       the presentation of our software.</p> <p>9       And then in 2000 -- actually 1999, Lawson</p> <p>10      set up a new division to sell our software to</p> <p>11      professional services organizations, and I was a</p> <p>12      product specialist there and a manager of the</p> <p>13      presentation staff. And I did that job through 2002.</p> <p>14      And in 2002 I went back into the general</p> <p>15      pool of presenters again, our solution consultants, in</p> <p>16      our services industries area, did that from 1992 to,</p> <p>17      excuse me, 2002 through 2005.</p> <p>18      And then in 2005 through 2008, I was in our</p> <p>19      government segment of selling Lawson Software to</p> <p>20      government, schools and institutions.</p> <p>21      And then in 2008 through 2010, I've been in</p> <p>22      our services industries group presenting our solutions</p> | <p style="text-align: right;">19</p> <p>1       in 1990 or were they not yet commercially available?</p> <p>2       <b>A</b>   They were not commercially available. They</p> <p>3       were on our sales servers and we were allowed to</p> <p>4       present them at that point.</p> <p>5       Q   You were presenting them to prospective</p> <p>6       customers, but you weren't yet commercially selling</p> <p>7       them to customers?</p> <p>8       <b>A</b>   Once there was a sale, then there became --</p> <p>9       we could contract and supply the software, but it</p> <p>10      wasn't considerably generally accepted or generally</p> <p>11      available at that point, which it became in 1991.</p> <p>12      Q   When in 1991 did the 5.0 system become</p> <p>13      generally available?</p> <p>14      <b>A</b>   I don't have a specific date.</p> <p>15      Q   Do you recall whether it was the first half</p> <p>16      or the second half of the year?</p> <p>17      <b>A</b>   It would be in the first half of the year,</p> <p>18      somewhere in there.</p> <p>19      Q   And you said that your next role at Lawson</p> <p>20      was as -- you moved into the presentation of software</p> <p>21      from '91 through '97; is that correct?</p> <p>22      <b>A</b>   Right, that's correct.</p>        |
| <p style="text-align: right;">18</p> <p>1       to our clients and to new prospects.</p> <p>2       Q   Let's go back to 1990. You mentioned in</p> <p>3       1990, you transitioned to become a sales</p> <p>4       representative for procurement software distribution?</p> <p>5       <b>A</b>   Yeah, we sell our purchase order inventory</p> <p>6       and requisition modules as what we call procurement</p> <p>7       for internal supply of items. We also have an order</p> <p>8       entry system that we were selling at that point, and</p> <p>9       that would be called our distribution area,</p> <p>10      distributing products for profit.</p> <p>11      Q   And what were your responsibilities as a</p> <p>12      sales representative for that division?</p> <p>13      <b>A</b>   I managed a territory in the East Coast. I</p> <p>14      found prospects. I made sure they were qualified, did</p> <p>15      the sales presentations, closed accounts and made sure</p> <p>16      they were happy after -- once they were installed.</p> <p>17      Q   What version of the procurement software was</p> <p>18      being sold in 1990 by Lawson?</p> <p>19      <b>A</b>   The 5.0 systems were coming to market.</p> <p>20      That's what I was selling.</p> <p>21      Q   When you say they were coming to market,</p> <p>22      were they already available -- commercially available</p>                                   | <p style="text-align: right;">20</p> <p>1       Q   And was that presentation of specific types</p> <p>2       of software?</p> <p>3       <b>A</b>   I did all of our financial systems then. So</p> <p>4       general ledger, accounts payable, accounts receivable,</p> <p>5       asset management. I did those, and I also did</p> <p>6       procurement, purchase order inventory requisitions.</p> <p>7       And then I also did our order entry systems.</p> <p>8       Q   And when in 1991 did you transition to that</p> <p>9       role?</p> <p>10      <b>A</b>   It would have been in June when we switched</p> <p>11      the sales force over. That was our fiscal --</p> <p>12      beginning of the calendar year for '92.</p> <p>13      Q   And by that point was version 5.0 of Lawson</p> <p>14      Software already commercially available?</p> <p>15      <b>A</b>   Yes, from my understanding, it was, yes.</p> <p>16      Q   What were your responsibilities in</p> <p>17      presenting the procurement software, was it to</p> <p>18      potential customers or to --</p> <p>19      <b>A</b>   Potential customers or existing customers</p> <p>20      that did not have those systems yet.</p> <p>21      Q   Okay. And what were your responsibilities</p> <p>22      as a presenter of the procurement software to</p> |



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| <p style="text-align: right;">21</p> <p>1 potential customers?</p> <p>2 <b>A First of all, I would do a survey with the</b></p> <p>3 <b>potential customer to find out their needs and</b></p> <p>4 <b>requirements, and we would do that either face-to-face</b></p> <p>5 <b>or on the phone.</b></p> <p>6 <b>And then at that point we generally go back</b></p> <p>7 <b>for a week to two weeks, prepare the software, put in</b></p> <p>8 <b>data and tune it to fit their needs and then go back</b></p> <p>9 <b>and do a presentation demonstration of a -- of a</b></p> <p>10 <b>solution to them. And then at that point I would do</b></p> <p>11 <b>any follow-up that was needed, answer any questions,</b></p> <p>12 <b>provide documentation, those kinds of things.</b></p> <p>13 <b>And then at that point the sales rep would</b></p> <p>14 <b>take over and I would be going on to the next business</b></p> <p>15 <b>opportunity.</b></p> <p>16 <b>Q When was the first instance that you can</b></p> <p>17 <b>recall presenting to a potential customer the Lawson</b></p> <p>18 <b>Software 6.0 system and specifically the procurement</b></p> <p>19 <b>modules within that system?</b></p> <p>20 <b>A I don't have a specific date when I first</b></p> <p>21 <b>presented it to someone.</b></p> <p>22 <b>Q What's your general recollection of the time</b></p> | <p style="text-align: right;">23</p> <p>1 <b>make sure that the system would look reasonable and</b></p> <p>2 <b>make sure it functioned properly.</b></p> <p>3 <b>Q Okay. Were you involved in the design of</b></p> <p>4 <b>the purchase order inventory control and requisition</b></p> <p>5 <b>modules?</b></p> <p>6 <b>A Yes, I reviewed all of those products.</b></p> <p>7 <b>Q And when in 1993 was 6.0 first commercially</b></p> <p>8 <b>available?</b></p> <p>9 <b>A I don't know a specific date.</b></p> <p>10 <b>Q Do you recall generally the month or the</b></p> <p>11 <b>season?</b></p> <p>12 <b>A It became available in our -- in our</b></p> <p>13 <b>demonstration systems. It usually comes out anywhere</b></p> <p>14 <b>from three to six months at that point in time prior</b></p> <p>15 <b>to the GA dates, so we were getting them in February</b></p> <p>16 <b>and March, and we were presenting them to clients at</b></p> <p>17 <b>that point or prospects at that time.</b></p> <p>18 <b>Q So in February and March of 1993, it was</b></p> <p>19 <b>available on a demonstration system?</b></p> <p>20 <b>A In a demonstration version, absolutely.</b></p> <p>21 <b>Q Demonstration version?</b></p> <p>22 <b>A Uh-hmm.</b></p> |
| <p style="text-align: right;">22</p> <p>1 frame?</p> <p>2 <b>A I worked on the design team in 1992 to</b></p> <p>3 <b>review what was being designed, and then in 1983 it</b></p> <p>4 <b>became -- it came out as a product.</b></p> <p>5 <b>Q Do you mean 1993?</b></p> <p>6 <b>A I'm sorry, 1993.</b></p> <p>7 <b>Q Tell -- tell me a little bit about your work</b></p> <p>8 <b>on the design team for the 6.0 release in 1992.</b></p> <p>9 <b>A When Lawson produced a product, generally</b></p> <p>10 <b>people have been around the sales team, we would be</b></p> <p>11 <b>working with the design team to make sure that the</b></p> <p>12 <b>functions that we needed in the market space were out</b></p> <p>13 <b>there. And at that point in time Lawson's expertise</b></p> <p>14 <b>generally came from either our customers or it came</b></p> <p>15 <b>from our sales force because they were the most</b></p> <p>16 <b>knowledgeable people about what we needed to be</b></p> <p>17 <b>competitive.</b></p> <p>18 <b>So we'd work with the development teams on</b></p> <p>19 <b>making sure the functions were there and then also</b></p> <p>20 <b>making sure that the application processed in a way</b></p> <p>21 <b>that would be appealing to our customers and</b></p> <p>22 <b>prospects. And I would sit through those teams and</b></p>               | <p style="text-align: right;">24</p> <p>1 <b>Q And did you say about three to six months</b></p> <p>2 <b>after that it became generally available?</b></p> <p>3 <b>A That's correct.</b></p> <p>4 <b>Q So that would have been approximately, what,</b></p> <p>5 <b>June to August?</b></p> <p>6 <b>A In that time frame.</b></p> <p>7 <b>Q You mentioned earlier today that you also</b></p> <p>8 <b>intend to provide ePlus with an opportunity to inspect</b></p> <p>9 <b>a live, fully functional Lawson Software 6.1; is that</b></p> <p>10 <b>correct?</b></p> <p>11 <b>A That's correct.</b></p> <p>12 <b>Q When did Lawson Software 6.1 first become</b></p> <p>13 <b>generally available?</b></p> <p>14 <b>A To my knowledge, sometime probably in 1994.</b></p> <p>15 <b>Q Do you know when in 1994?</b></p> <p>16 <b>A I think the GA date was considered late</b></p> <p>17 <b>September or early October from my recollection.</b></p> <p>18 <b>Q What kind of documentation did Lawson</b></p> <p>19 <b>maintain that may permit you if you wanted to refresh</b></p> <p>20 <b>your recollection about the specific dates that each</b></p> <p>21 <b>of these versions of Lawson Software became generally</b></p> <p>22 <b>available?</b></p>        |

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| <p style="text-align: right;">25</p> <p>1       <b>A</b>   They had release documents that they would</p> <p>2       say here's the different dates and here's the version</p> <p>3       numbers of when these systems came out.</p> <p>4       <b>Q</b>   What else, you know, is contained in a</p> <p>5       release document like the one you're referring to?</p> <p>6       <b>A</b>   Well, the release document, depending on the</p> <p>7       release level, would have differences between a prior</p> <p>8       release. So there's -- there's two concepts within</p> <p>9       Lawson. There's, I call them the large numbers. <b>A</b></p> <p>10      <b>5.0 to 6.0</b>, generally those are done on a three to</p> <p>11      four-year cycle and those are processed within the</p> <p>12      system. And there are major database changes, new</p> <p>13      functionality. So the <b>5.0 to 6.0</b> would have major</p> <p>14      changes to the applications depending on what they</p> <p>15      were recoded.</p> <p>16      And then there's a dot configuration, <b>6.0</b>,</p> <p>17      <b>6.1</b>. The dot configurations are generally minor</p> <p>18      fixes, spelling changes, patches are applied to up --</p> <p>19      to upgrade the system. There would be no -- but there</p> <p>20      would be no system major functionality differences.</p> <p>21      <b>Q</b>   And there's a release document that</p> <p>22      accompany's each, is it each change or is it just each</p> | <p style="text-align: right;">27</p> <p>1       <b>presenters.</b></p> <p>2       <b>Q</b>   So this was documentation that was provided</p> <p>3       to Lawson customers?</p> <p>4       <b>A</b>   That is correct.</p> <p>5       <b>Q</b>   Including to prospective Lawson customers?</p> <p>6       <b>A</b>   No, not to prospects. As a general rule</p> <p>7       they would -- you would have to sign a nondisclosure</p> <p>8       at that point, and as a general practice we're not</p> <p>9       giving those type of information unless they had a</p> <p>10      specific nondisclosure signed.</p> <p>11      <b>Q</b>   So those -- that documentation about the</p> <p>12      features and functionalities available in each new</p> <p>13      release version of Lawson Software was treated as</p> <p>14      confidential by Lawson?</p> <p>15      <b>A</b>   Very much so.</p> <p>16      <b>Q</b>   Why was it treated as confidential?</p> <p>17      <b>A</b>   Because it had specific information our</p> <p>18      competitors would use to their advantage against us</p> <p>19      because we -- we would go out there and it would</p> <p>20      explain our systems, especially on a <b>5.0 to 6.0</b></p> <p>21      release of the new major functions we were putting in,</p> <p>22      and that was our competitive advantage. And we would</p>                  |
| <p style="text-align: right;">26</p> <p>1       major change?</p> <p>2       <b>A</b>   Major changes you would be given new sets of</p> <p>3       documentation if you requested them. And then on dot</p> <p>4       one changes or dot two changes, they would give you</p> <p>5       specific, if there were database element changes, they</p> <p>6       could supply those.</p> <p>7       And then they would give you patches at that</p> <p>8       point which you would manually put into your system to</p> <p>9       fix any bugs or program changes.</p> <p>10      <b>Q</b>   When you say they would give you</p> <p>11      documentation, who would give who documentation?</p> <p>12      <b>A</b>   Lawson Software would supply and make</p> <p>13      available in a hard copy format at that time that</p> <p>14      function and then we would send it to them if they</p> <p>15      requested it.</p> <p>16      <b>Q</b>   So Lawson Software, the design team, who at</p> <p>17      Lawson Software?</p> <p>18      <b>A</b>   There was actually a documentation design</p> <p>19      team.</p> <p>20      <b>Q</b>   They would provide it to you?</p> <p>21      <b>A</b>   To customers and, of course, the sales reps</p> <p>22      if they wanted to look at it and the product</p>  | <p style="text-align: right;">28</p> <p>1       not be giving that out to the general public. We</p> <p>2       would demonstrate those pieces and we would show them</p> <p>3       to them, but it was strictly on a confidential basis.</p> <p>4       <b>Q</b>   Let me go back now to our discussion earlier</p> <p>5       this morning about your preparation for this</p> <p>6       deposition, and specifically the discussion we were</p> <p>7       having about the systems that you went online live to</p> <p>8       review the Legacy systems.</p> <p>9       You mentioned that there were two different</p> <p>10      interfaces placed on your computer that allowed you to</p> <p>11      access these Legacy systems; is that correct?</p> <p>12      <b>A</b>   That is correct.</p> <p>13      <b>Q</b>   And was it you who requested that these</p> <p>14      interfaces be placed on your computer? How did that</p> <p>15      come about?</p> <p>16      <b>A</b>   I need to get access to the systems and part</p> <p>17      of the instructions to get access was to go to Roger</p> <p>18      Shimada and get the interfaces from him and have them</p> <p>19      put on my machine.</p> <p>20      <b>Q</b>   And so, you know, in your ordinary course of</p> <p>21      business, you don't have access to these Legacy</p> <p>22      systems; is that fair to say?</p> |



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| <p style="text-align: right;">29</p> <p>1       <b>A No, I only present the current products.</b></p> <p>2       Q Okay. Is there anyone at Lawson Software</p> <p>3 that you're aware of who today in 2010 has access to</p> <p>4 or uses the systems that you're going to be</p> <p>5 demonstrating today on a regular basis?</p> <p>6       <b>A The development team has access to them, but</b></p> <p>7 <b>they would not be using them as a normal course of</b></p> <p>8 <b>business.</b></p> <p>9       Q And why is that?</p> <p>10       <b>A There's no need to. We have no current</b></p> <p>11 <b>clients on those systems.</b></p> <p>12       Q So there's no current customers of Lawson</p> <p>13 that are using either Lawson 5.0, Lawson 6.0 or Lawson</p> <p>14 6.1, to your knowledge?</p> <p>15       <b>A To my knowledge I don't know of any that</b></p> <p>16 <b>would still be there.</b></p> <p>17       Q Where did you --</p> <p>18           MR. STRAPP: Well, let me mark this as the</p> <p>19 next exhibit.</p> <p>20           (Exhibit 2 was marked for identification and</p> <p>21 attached to the deposition transcript.)</p> <p>22</p>   | <p style="text-align: right;">31</p> <p>1       <b>configuration pieces that were used to install those</b></p> <p>2 <b>systems for the 6.1 system.</b></p> <p>3       Q Okay. So let's walk through the document</p> <p>4 then. Let's start on the first page. It states at</p> <p>5 the top of the document, "Systems are" -- well, before</p> <p>6 I do that, did you prepare this document yourself?</p> <p>7       <b>A With help from Roger Shimada.</b></p> <p>8       Q Okay. And what portion of the document</p> <p>9 would you say was your responsibility and what portion</p> <p>10 was Roger's or was it a collaboration?</p> <p>11       <b>A He provided pages 1, 2, 3 and 4, and I did</b></p> <p>12 <b>pages 5 and 6. And I reviewed pages 1 through 4 just</b></p> <p>13 <b>to make sure that it was relevant to how the -- how</b></p> <p>14 <b>the systems were brought up and put on the systems.</b></p> <p>15       Q And when did you prepare this -- when did --</p> <p>16 when did you prepare your portion of the document,</p> <p>17 pages 5 and 6?</p> <p>18       <b>A Last Friday and yesterday.</b></p> <p>19       Q And did you prepare it -- how did you</p> <p>20 prepare those pages of the document and what</p> <p>21 information did you access to --</p> <p>22       <b>A I went online to the 5.0 and 6.0 and 6.1</b></p> |
| <p style="text-align: right;">30</p> <p>1 BY MR. STRAPP:</p> <p>2       Q The court reporter has handed you what has</p> <p>3 been marked as Hvass Exhibit 2. This is a six-page</p> <p>4 document that was provided to ePlus this morning by</p> <p>5 counsel for Lawson. And since we haven't seen this</p> <p>6 document before, I want to ask you some questions</p> <p>7 about it. I, frankly, am seeing it for the first time</p> <p>8 this morning. And I would like you to help me</p> <p>9 understand what it is and why it was prepared.</p> <p>10       <b>A Well, from the deposition points, it was</b></p> <p>11 <b>talking about for the systems on .7 on topic 6 differ</b></p> <p>12 <b>from one another in changes in upgrades. It also</b></p> <p>13 <b>talks about our -- let's make sure I get the right</b></p> <p>14 <b>pieces here -- you wanted to know what -- where our</b></p> <p>15 <b>software, what releases it was on, how was it</b></p> <p>16 <b>installed and so on. So these are -- these are the</b></p> <p>17 <b>specific pieces for the version 5.0 and 6.0 that comes</b></p> <p>18 <b>on under the HP-UX systems running COBOL. These are</b></p> <p>19 <b>the dates and version numbers and where they're</b></p> <p>20 <b>installed, what systems were put together to do that.</b></p> <p>21       <b>There's also a second system that was an IBM</b></p> <p>22 <b>iSeries processor, and it gives you the hardware and</b></p> | <p style="text-align: right;">32</p> <p>1       <b>systems and set up data. That's what pages 5 and 6</b></p> <p>2 <b>represent are the actual data elements and what</b></p> <p>3 <b>programs and some version information on them. Pages</b></p> <p>4 <b>1 through 4 are from Roger.</b></p> <p>5       Q Do you know when he prepared that part of</p> <p>6 the document?</p> <p>7       <b>A A week ago Thursday.</b></p> <p>8       Q Okay. Let's look at the first page of the</p> <p>9 document.</p> <p>10       <b>A Uh-hmm.</b></p> <p>11       Q All right. It states at the top of the</p> <p>12 document, "Systems are running on two platforms, HP-UX</p> <p>13 PA-RISC and IBM i." Can you explain for me what those</p> <p>14 two systems -- or what those platforms are, please?</p> <p>15       <b>A The one with the HP-UX is a UNIX server by</b></p> <p>16 <b>Hewlett-Packard; and the second one is an IBM iSeries</b></p> <p>17 <b>by IBM.</b></p> <p>18       Q What does the PA-RISC stand for?</p> <p>19       <b>A It's a form of operating system that uses</b></p> <p>20 <b>less instructions in the instruction set for the</b></p> <p>21 <b>operating system. That's what PA-RISC stands for.</b></p> <p>22       Q Do you know when the HP UNIX server, on</p>  |

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| <p>33</p> <p>1 which the system is running, was first commercially</p> <p>2 available?</p> <p>3 <b>A I have no idea, no.</b></p> <p>4 Q Do you know when the PA-RISC operating</p> <p>5 system was first commercially available?</p> <p>6 <b>A No.</b></p> <p>7 Q Do you know when the IBM iSeries -- is that</p> <p>8 a server?</p> <p>9 <b>A It's a server style. It's the successor for</b></p> <p>10 <b>the AS/400 series. The AS/400 came out in -- it goes</b></p> <p>11 <b>-- well, the system 38 was first before that, which</b></p> <p>12 <b>was in 1980. In 1988 came the IBM AS/400 series, and</b></p> <p>13 <b>the iSeries is something probably in the early 2000s,</b></p> <p>14 <b>from my understanding.</b></p> <p>15 Q So the IBM iSeries is a server that you</p> <p>16 believe was first available in the early 2000s; is</p> <p>17 that right?</p> <p>18 <b>A Yes, the iSeries specifically.</b></p> <p>19 Q And which system that you're going to be</p> <p>20 demonstrating today is running on the IBM iSeries?</p> <p>21 <b>A The 6.1 system.</b></p> <p>22 Q So the 5.0 and the 6.0 systems will be</p> | <p>35</p> <p>1 about when that HP UNIX server was first available?</p> <p>2 <b>A No, not the specific style. Lawson's been</b></p> <p>3 <b>running on the HP series since the early 1990s.</b></p> <p>4 Q So there's a specific type of HP UNIX server</p> <p>5 that Lawson runs its certain software on?</p> <p>6 <b>A That's correct.</b></p> <p>7 Q Do you know what that model number is for</p> <p>8 that specific type of HP UNIX server?</p> <p>9 <b>A No, I do not.</b></p> <p>10 Q Who at Lawson would know the specifics about</p> <p>11 the HP UNIX server that the systems that you'll be</p> <p>12 demonstrating today, the 5.0 and 6.0 systems, will be</p> <p>13 running on?</p> <p>14 <b>A Roger Shimada would know that.</b></p> <p>15 MR. STRAPP: Would it be possible, maybe</p> <p>16 this question is better directed at your counsel, to</p> <p>17 determine at a break some more information about that</p> <p>18 HP UNIX server, both the model number and the date it</p> <p>19 was available?</p> <p>20 MR. SCHULTZ: Yes, we could do that.</p> <p>21 MR. STRAPP: Thank you.</p> <p>22 <b>A The model number is on page 4.</b></p> |
| <p>34</p> <p>1 running on HP UNIX server?</p> <p>2 <b>A That is correct.</b></p> <p>3 Q And the 6.1 system will be running on the</p> <p>4 IBM i server?</p> <p>5 <b>A Correct.</b></p> <p>6 Q Where are these servers, the HP UNIX server</p> <p>7 and the IBM i server physically located?</p> <p>8 <b>A They're located in St. Paul at our third</b></p> <p>9 <b>floor of the Lawson offices.</b></p> <p>10 Q So these are servers that are owned and</p> <p>11 maintained by Lawson at their premises?</p> <p>12 <b>A Yes.</b></p> <p>13 Q Can you tell me what, besides this</p> <p>14 demonstration that we're doing today, what else does</p> <p>15 Lawson use the HP UNIX system for currently?</p> <p>16 <b>A HP under UNIX, and they also have a Windows</b></p> <p>17 <b>version, are systems that we support for our current</b></p> <p>18 <b>product line.</b></p> <p>19 Q So you have Lawson Software 9.0 running on</p> <p>20 this HP UNIX server?</p> <p>21 <b>A Yes.</b></p> <p>22 Q And you're not -- you don't have any idea</p>   | <p>36</p> <p>1 Q Okay.</p> <p>2 <b>A It tells you the model, processor, memory</b></p> <p>3 <b>and disc that's on that particular piece of hardware.</b></p> <p>4 Q Okay. So it's the model RP3440 for the HP</p> <p>5 UNIX server?</p> <p>6 <b>A That's correct.</b></p> <p>7 Q And I assume Roger could tell us at a break</p> <p>8 when that model RP3440 was first available?</p> <p>9 <b>A He could or you would have to do research</b></p> <p>10 <b>because he doesn't buy those systems or acquire them.</b></p> <p>11 <b>He's just a tech that supports them.</b></p> <p>12 Q But he could find out someone who might know</p> <p>13 that information.</p> <p>14 <b>A Most likely he could find it.</b></p> <p>15 Q Okay. Let's look at page 4 while we're on</p> <p>16 it. The HP UNIX has a system name prhtec01. Is that</p> <p>17 a Lawson system name for that particular server?</p> <p>18 <b>A Yes.</b></p> <p>19 Q And the operating system running on that</p> <p>20 server is the PA-RISC operating system?</p> <p>21 <b>A That is correct.</b></p> <p>22 Q And what version of the PA-RISC operating</p>                                 |

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| <p style="text-align: right;">37</p> <p>1 system is running on the HP UNIX server?</p> <p>2 <b>A Let's see if they have it specifically</b></p> <p>3 <b>listed here. It's HP-UX, it's on page 3. It's the</b></p> <p>4 <b>fifth line down, HP-UX 11i operating environment.</b></p> <p>5 Q Do you know when the HP-UX 11i operating</p> <p>6 environment was first commercially available?</p> <p>7 <b>A No.</b></p> <p>8 Q Do you know whether Roger knows that or</p> <p>9 could find that out?</p> <p>10 <b>A He could, yes, I think he could find it out</b></p> <p>11 <b>for us.</b></p> <p>12 Q Okay, great.</p> <p>13 What about the operating system on the IBM</p> <p>14 iSeries, do we have that information on this document?</p> <p>15 <b>A I believe from what I see here the operating</b></p> <p>16 <b>system version -- not that I see on here, no.</b></p> <p>17 MR. STRAPP: Could we inquire about that as</p> <p>18 well? I know I'm adding to a long list here, but this</p> <p>19 is information we would like to get today during this</p> <p>20 -- before the demonstration begins so we understand</p> <p>21 what it is that we're seeing.</p> <p>22 Q So let's go back to page 4. We were talking</p> | <p style="text-align: right;">39</p> <p>1 Q Do you know what kind of processors are</p> <p>2 running on the IBM iSeries server?</p> <p>3 <b>A No.</b></p> <p>4 Q What -- what other purposes besides the</p> <p>5 demonstration today does Lawson use that IBM iSeries</p> <p>6 server for that's located in its corporate</p> <p>7 headquarters?</p> <p>8 <b>A I don't know what other purposes it uses it</b></p> <p>9 <b>for.</b></p> <p>10 Q Do you know what kind of Lawson Software</p> <p>11 runs on the IBM iSeries server besides the 6.1 version</p> <p>12 that you're going to be demonstrating today?</p> <p>13 <b>A All of our versions of our software run on</b></p> <p>14 <b>an iSeries, so there's a 9.0 and a 9.1 series of</b></p> <p>15 <b>release systems out there within Lawson. There are a</b></p> <p>16 <b>few that -- generally available products are out on</b></p> <p>17 <b>that product also.</b></p> <p>18 Q You had stated earlier that the 6.0 version</p> <p>19 of Lawson Software you believe was generally available</p> <p>20 approximately summer of 1993; is that correct?</p> <p>21 <b>A That's correct.</b></p> <p>22 Q If I wanted to look at a document that would</p> |
| <p style="text-align: right;">38</p> <p>1 about the HP-UX, HP UNIX server on which the 5.0 and</p> <p>2 6.0 systems will be running today. They're going to</p> <p>3 be running on a model number RP3440, right?</p> <p>4 <b>A That is correct.</b></p> <p>5 Q And there are four internal processors</p> <p>6 running on that HP UNIX server?</p> <p>7 <b>A Yes.</b></p> <p>8 Q Do you know what kind of processors are</p> <p>9 running on that server?</p> <p>10 <b>A Not exactly. I assume they are a Pentium</b></p> <p>11 <b>chip processor, but I do not know for what piece that</b></p> <p>12 <b>would be.</b></p> <p>13 Q And the IBM iSeries, the system name for</p> <p>14 that server is USSPI004, correct?</p> <p>15 <b>A That is correct.</b></p> <p>16 Q And, again, that's a Lawson -- Lawson has</p> <p>17 given it that system name, right?</p> <p>18 <b>A Yes.</b></p> <p>19 Q The model number is 9406-520, correct?</p> <p>20 <b>A That is correct.</b></p> <p>21 Q And it's got two processors?</p> <p>22 <b>A (Nodding head.)</b></p>  | <p style="text-align: right;">40</p> <p>1 verify the precise date on which that version went</p> <p>2 commercially available or generally available, what</p> <p>3 document would I look at?</p> <p>4 <b>A I don't know.</b></p> <p>5 Q Do you know if a document like that would</p> <p>6 exist if you wanted to go back and do some research to</p> <p>7 figure out the precise date it was generally</p> <p>8 available?</p> <p>9 <b>A I don't have one personally and I don't know</b></p> <p>10 <b>where to get one.</b></p> <p>11 Q Is that something that you looked into when</p> <p>12 you were preparing for the deposition?</p> <p>13 <b>A Yes.</b></p> <p>14 Q And you were unsuccessful in trying to -- in</p> <p>15 finding documentation that would give you a precise</p> <p>16 date?</p> <p>17 <b>A That is correct.</b></p> <p>18 Q Can you tell me where you looked?</p> <p>19 <b>A I asked legal counsel at Lawson if they had</b></p> <p>20 <b>one, and I did not receive any. And I also asked for</b></p> <p>21 <b>any documentation that we might have on the -- on the</b></p> <p>22 <b>release of those products from a standpoint of</b></p>  |

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| <p style="text-align: right;">41</p> <p>1 <b>marketing's release dates. They don't have any.</b></p> <p>2 Q Is there anyone still employed by Lawson</p> <p>3 that was involved and had responsibility about</p> <p>4 planning the specific release date for the 6.0</p> <p>5 version?</p> <p>6 A <b>Not that I know of.</b></p> <p>7 Q Do you know who it was at Lawson or who --</p> <p>8 which people at Lawson would have been involved in the</p> <p>9 planning and the rollout and the timing of the</p> <p>10 specific release for the 6.0 version?</p> <p>11 A <b>For procurement specifically, it would have</b></p> <p>12 <b>been Gary Lawson.</b></p> <p>13 Q Gary Lawson?</p> <p>14 A <b>That is correct.</b></p> <p>15 Q Is that -- is that Richard Lawson's brother?</p> <p>16 A <b>No, Gary Lawson is Richard's nephew.</b></p> <p>17 Q Nephew. And he's no longer employed by</p> <p>18 Lawson?</p> <p>19 A <b>That is correct.</b></p> <p>20 Q What were his responsibilities at Lawson</p> <p>21 Software back in 1993?</p> <p>22 A <b>He was the development team manager that</b></p>  | <p style="text-align: right;">43</p> <p>1 subheading it states, "5.0 applications on UNIX</p> <p>2 Universe 2.0 from 1993 (environment:20 product</p> <p>3 line:cobdeliv)."</p> <p>4 A <b>Uh-hmm.</b></p> <p>5 Q Can you explain for me what that -- what</p> <p>6 that means?</p> <p>7 A <b>Okay, first of all, there's a 5.0</b></p> <p>8 <b>application, so that's the applications that were</b></p> <p>9 <b>running. There's an underlying software technology</b></p> <p>10 <b>that -- that runs this -- these applications, and</b></p> <p>11 <b>that's called Universe. And this was the 2.0 Universe</b></p> <p>12 <b>from 1993.</b></p> <p>13 <b>One thing that's important to remember is</b></p> <p>14 <b>that an application can run under multiple Universes.</b></p> <p>15 <b>This is the Universe 2.0 from 1993, which is not to be</b></p> <p>16 <b>confused with the 5.0 applications because they could</b></p> <p>17 <b>be from an earlier date.</b></p> <p>18 <b>Environment 20 product line is a product</b></p> <p>19 <b>line -- we put all our systems into what we call an</b></p> <p>20 <b>environment. And the product line specifically is a</b></p> <p>21 <b>label to where we keep the system is in COBOL</b></p> <p>22 <b>development because that is what the products are</b></p>   |
| <p style="text-align: right;">42</p> <p>1 <b>developed the new procurement system, and he was</b></p> <p>2 <b>responsible for its development, its beta sites and</b></p> <p>3 <b>its acceptability for general availability.</b></p> <p>4 Q Did you try to reach out to Gary Lawson to</p> <p>5 find out when version 6.0 was generally available?</p> <p>6 A <b>No.</b></p> <p>7 Q Do you know where he's employed now?</p> <p>8 A <b>No.</b></p> <p>9 Q Okay. Turning back to this document you</p> <p>10 have in front of you, Hvass Exhibit 2, were the</p> <p>11 interfaces placed on your computer at Lawson last</p> <p>12 Thursday interfaces that allowed you to access the</p> <p>13 systems that you will be demonstrating today as they</p> <p>14 ran on these two different servers?</p> <p>15 A <b>Yes.</b></p> <p>16 Q The HP -- yes?</p> <p>17 A <b>Uh-hmm.</b></p> <p>18 Q And let's look at the first page of the</p> <p>19 document.</p> <p>20 A <b>Uh-hmm.</b></p> <p>21 Q The first page of the document, it has a</p> <p>22 subheading, it says, "HP UNIX." And underneath that</p> | <p style="text-align: right;">44</p> <p>1 <b>developed in, COBOL. So that's what that first line</b></p> <p>2 <b>means.</b></p> <p>3 Q What do you mean by you put your products in</p> <p>4 an environment, or you put your systems into what you</p> <p>5 call an environment?</p> <p>6 A <b>Okay, well, in this case the UNIX system,</b></p> <p>7 <b>the UNIX system is an open operating system, and UNIX</b></p> <p>8 <b>is in such a way that you can have many things working</b></p> <p>9 <b>in UNIX. So Lawson as part of its development put</b></p> <p>10 <b>together an environment so we could do printing, we</b></p> <p>11 <b>could do remote job connections, we could do file</b></p> <p>12 <b>transfers in an environment that made it commercially</b></p> <p>13 <b>acceptable. And that's what this Universe UNIX does.</b></p> <p>14 <b>It puts it in an environment -- an environment that</b></p> <p>15 <b>makes it usable by our end users and the MIS -- and</b></p> <p>16 <b>the MIS community as a viable product, otherwise it</b></p> <p>17 <b>wouldn't run at all in UNIX.</b></p> <p>18 Q What is the UNIX Universe 2.0?</p> <p>19 A <b>It's a supporting set of pieces of software</b></p> <p>20 <b>that makes our applications run.</b></p> <p>21 Q When you were working at Lawson back in the</p> <p>22 early '90s and demonstrating for potential customers</p> |

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| <p style="text-align: right;">45</p> <p>1 the Lawson 5.0 software, what kind of UNIX Universe</p> <p>2 did you run the 5.0 -- Lawson Software 5.0</p> <p>3 applications on?</p> <p>4 <b>A There was never -- there was a version</b></p> <p>5 <b>number of it, which I don't remember what it is, but</b></p> <p>6 <b>it was -- it was called UNIX Universe and it ran our</b></p> <p>7 <b>applications.</b></p> <p>8 Q So you don't know whether it was 2.0 or some</p> <p>9 other version?</p> <p>10 <b>A No.</b></p> <p>11 Q When did UNIX Universe 2.0 first become</p> <p>12 generally available?</p> <p>13 <b>A I don't know the specific date. I mean,</b></p> <p>14 <b>it's '93 or prior because they have the date on here,</b></p> <p>15 <b>and I also have transactions in the system I will be</b></p> <p>16 <b>showing that shows it's from 1993, September</b></p> <p>17 <b>specifically.</b></p> <p>18 Q Okay. So how is it that you date UNIX</p> <p>19 Universe 2.0 to September 1993, the one -- the UNIX</p> <p>20 Universe upon which the 5.0 applications will be</p> <p>21 running?</p> <p>22 <b>A Roger knows the date and that's what he</b></p>  | <p style="text-align: right;">47</p> <p>1 Q It was -- was it constructed for a</p> <p>2 particular customer back in 1993?</p> <p>3 <b>A No, this was our -- actually our development</b></p> <p>4 <b>machine. This is where we developed applications</b></p> <p>5 <b>with. And it was used as a developing and then after</b></p> <p>6 <b>it goes GA as a support system, so we'll test systems</b></p> <p>7 <b>there, put patches in and so on.</b></p> <p>8 Q Okay. So this is not a system, the one</p> <p>9 you'll be demonstrating today, Lawson 5.0, this isn't</p> <p>10 a system that was ever run by a customer, correct?</p> <p>11 <b>A No, it's the code that a customer would get</b></p> <p>12 <b>because that's what we deliver our code from is from</b></p> <p>13 <b>development to a machine for general delivery. So</b></p> <p>14 <b>it's the same code, but this machine -- this code was</b></p> <p>15 <b>never delivered to a customer per se.</b></p> <p>16 Q So code was developed on this machine and</p> <p>17 compiled in September 1993; and then that code was</p> <p>18 copied and provided to customers when they licensed</p> <p>19 the 5.0 software?</p> <p>20 <b>A That or prior to 1993. This is just the</b></p> <p>21 <b>date when this version was done.</b></p> <p>22 Q Right. The version we're looking at today.</p> |
| <p style="text-align: right;">46</p> <p>1 <b>supplied here.</b></p> <p>2 Q How does he know the date?</p> <p>3 <b>A I don't know how he knows the date</b></p> <p>4 <b>specifically.</b></p> <p>5 Q I guess what I'm trying to get at is, is</p> <p>6 that a specific date on which UNIX Universe 2.0 was</p> <p>7 made generally available or is that a specific date on</p> <p>8 which these versions of the Lawson 5.0 software was</p> <p>9 made generally available?</p> <p>10 <b>A This has nothing to do with generally</b></p> <p>11 <b>availability of the applications. It has the date of</b></p> <p>12 <b>the system compile most likely on what we're running,</b></p> <p>13 <b>so it has probably a 1993 compile date of Universe,</b></p> <p>14 <b>and that's what he's telling us here.</b></p> <p>15 Q Okay. What do you mean by compile date</p> <p>16 versus system compile?</p> <p>17 <b>A When we build the system, we have to compile</b></p> <p>18 <b>the applications and the Universe pieces to make it</b></p> <p>19 <b>run. And so the system when it's delivered is</b></p> <p>20 <b>constructed. And what he's telling us here is this</b></p> <p>21 <b>was constructed in 1993 on the 2.0 Universe running</b></p> <p>22 <b>5.0 applications.</b></p> | <p style="text-align: right;">48</p> <p>1 <b>A That is correct.</b></p> <p>2 Q Do you know who was involved in compiling</p> <p>3 this particular set of Lawson 5.0 applications back in</p> <p>4 1993?</p> <p>5 <b>A I have no -- no, I don't.</b></p> <p>6 Q Did you have any involvement in that?</p> <p>7 <b>A No.</b></p> <p>8 Q Did Roger Shimada have any involvement?</p> <p>9 <b>A I do not know.</b></p> <p>10 Q Will you be able to provide us with</p> <p>11 information today, actually show us during the</p> <p>12 demonstration, the directories and file listings that</p> <p>13 show us the date on which -- the date on which the</p> <p>14 files are running, the applications running in 5.0</p> <p>15 were compiled?</p> <p>16 <b>A No, I don't have access to that information.</b></p> <p>17 Q Who has access to that information?</p> <p>18 <b>A Roger Shimada.</b></p> <p>19 Q Is there a way that you can use your</p> <p>20 VPN/Internet connection today to port into a directory</p> <p>21 that Roger would make available to us so that we could</p> <p>22 see a listing of the dates that the files were</p>   |



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| <p style="text-align: right;">49</p> <p>1 compiled and last modified?</p> <p>2 <b>A That might be possible, but I -- Roger would</b></p> <p>3 <b>have to supply that.</b></p> <p>4 Q Could we check at the break to see whether</p> <p>5 that's possible because that's important for us to</p> <p>6 determine today.</p> <p>7 <b>A I can check, yes.</b></p> <p>8 Q And that same request goes for each of the</p> <p>9 different systems that you'll be demonstrating today.</p> <p>10 <b>A Right. I have the ones for the AS/400, the</b></p> <p>11 <b>iSeries with us.</b></p> <p>12 Q Okay. You have those directories available?</p> <p>13 <b>A Yes, I'll show you the conversion compiles.</b></p> <p>14 Q So -- and AS/400 is the one in which the 6.1</p> <p>15 subsystem will be running?</p> <p>16 <b>A Yes.</b></p> <p>17 Q So for the 6.1 system, you can show us</p> <p>18 sitting here right now the directories and files that</p> <p>19 will provide us with the dates the files were compiled</p> <p>20 and last modified?</p> <p>21 <b>A That's correct.</b></p> <p>22 Q But for 5.0 and 6.0, you'll need to check</p>   | <p style="text-align: right;">51</p> <p>1 <b>demonstration last week.</b></p> <p>2 Q Okay. Can you tell me about the process of</p> <p>3 compiling the objects to build the demonstration that</p> <p>4 you're going to be providing to us later today?</p> <p>5 <b>A What happens is there's a run command that</b></p> <p>6 <b>takes the source code by application, so purchase</b></p> <p>7 <b>order 20, purchase order 30, the actual applications,</b></p> <p>8 <b>and runs them through a compiler, checks their syntax.</b></p> <p>9 <b>If it's valid, it makes the object that is running.</b></p> <p>10 <b>That's what was compiled by Roger last week to get</b></p> <p>11 <b>these systems up and running.</b></p> <p>12 Q What kind of compiler did Roger use last</p> <p>13 week to build the demonstration that we're going to</p> <p>14 see later today?</p> <p>15 <b>A If you look at page 2 down about</b></p> <p>16 <b>three-quarters of the way, you'll see a command called</b></p> <p>17 <b>COBDIR. And that's the root directory for a</b></p> <p>18 <b>MicroFocus COBOL compiler. That's what we compiled it</b></p> <p>19 <b>with.</b></p> <p>20 Q Is that a compiler that Lawson has at its</p> <p>21 premises in St. Paul?</p> <p>22 <b>A Yes.</b></p> |
| <p style="text-align: right;">50</p> <p>1 with Roger at the break to see whether we can get</p> <p>2 access to that at some point today?</p> <p>3 <b>A Yes.</b></p> <p>4 Q Okay. So let me -- let me go back. You</p> <p>5 already testified a bit about this, but in the</p> <p>6 parentheses on that first line it says,</p> <p>7 "Environment:20 product line:cobdeliv."</p> <p>8 I'm sorry to ask you again, but can you</p> <p>9 explain for me what's in that parentheses and how it</p> <p>10 relates to the 5.0 applications we're going to be</p> <p>11 viewing today?</p> <p>12 <b>A It just tells you -- product line is where</b></p> <p>13 <b>we -- where we store source and object codes. I don't</b></p> <p>14 <b>know what the 20 product line means, but it's -- it's</b></p> <p>15 <b>a place in the system for the environment that he put</b></p> <p>16 <b>these -- these 5.0 systems within and he labeled it</b></p> <p>17 <b>COBOL delivery.</b></p> <p>18 Q When were the source code and object code in</p> <p>19 the product line that you're going to be showing us</p> <p>20 today for 5.0 --</p> <p>21 <b>A The source code comes from 1993. The actual</b></p> <p>22 <b>objects were compiled as part of this -- to build this</b></p> | <p style="text-align: right;">52</p> <p>1 Q And what's the -- do you know what the</p> <p>2 manufacture date of that compiler is?</p> <p>3 <b>A I don't know the specific date, but</b></p> <p>4 <b>MicroFocus COBOL is what we write our systems in, and</b></p> <p>5 <b>that is the compiler that we've used since the mid</b></p> <p>6 <b>1980s to compile all of our software in the COBOL</b></p> <p>7 <b>version.</b></p> <p>8 Q Is that the same compiler that was used to</p> <p>9 build the demonstrations for 5.0, 6.0 and 6.1?</p> <p>10 <b>A Yes.</b></p> <p>11 Q And Roger built those demonstrations for</p> <p>12 each of the three systems last week?</p> <p>13 <b>A Yes.</b></p> <p>14 Q So the source code that was used to build</p> <p>15 the demonstration for the 5.0 applications was written</p> <p>16 in 1993, correct?</p> <p>17 <b>A That is not correct.</b></p> <p>18 Q Okay. I must have misunderstood.</p> <p>19 When was the source code that is in this</p> <p>20 product line for the 5.0 applications written?</p> <p>21 <b>A That would go at least back to September of</b></p> <p>22 <b>1991.</b></p>   |



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| <p>53</p> <p>1 Q Okay. So the source code was written in</p> <p>2 September of 1991 for the 5.0 applications, and how --</p> <p>3 is that correct?</p> <p>4 A And prior to that because you just don't</p> <p>5 write them all in one day.</p> <p>6 Q Right.</p> <p>7 A Or one month.</p> <p>8 Q But it was completed by September 1991;</p> <p>9 that's your understanding?</p> <p>10 A It was at least before that date because</p> <p>11 that's what my data shows of when data was put into</p> <p>12 these compiled programs.</p> <p>13 Q And what data shows that the source code for</p> <p>14 version 5.0 was completed by September 1991 or at</p> <p>15 least by September 1991?</p> <p>16 A The vendor master files show their update</p> <p>17 was a date of origin from September of 1991.</p> <p>18 Q Which vendor master files?</p> <p>19 A The 5.0 vendor master files from accounts</p> <p>20 payable 10.</p> <p>21 Q Is that something that we're going to be</p> <p>22 able to view today?</p>  | <p>55</p> <p>1 today?</p> <p>2 A Roger could give that.</p> <p>3 MR. STRAPP: One more request for counsel to</p> <p>4 add to the list.</p> <p>5 A There is on page 3, it tells you the --</p> <p>6 that's an ANSI C compiler, but it also tells you the</p> <p>7 ANSI C compiler versions. Well, it tells you</p> <p>8 MicroFocus Server Express version 2.2 service patent</p> <p>9 1.</p> <p>10 Q Okay.</p> <p>11 A So those are the actual pieces that were on</p> <p>12 the machine that were used to compile this with.</p> <p>13 It will tell you the operating system, the</p> <p>14 UNIX base, the ANCI development bundle for C, the</p> <p>15 compiler for C and for MicroFocus.</p> <p>16 Q All right. So the operating system running</p> <p>17 on the MicroFocus COBOL compiler is which operating</p> <p>18 system?</p> <p>19 A The HP-UX 11i is the operating system for</p> <p>20 the hardware which then runs the ANCI C compiler and</p> <p>21 the MicroFocus compiler, and those are the specific</p> <p>22 versions that were on our run-time machine for the</p>   |
| <p>54</p> <p>1 A Yes.</p> <p>2 Q And when was the source code for the version</p> <p>3 5.0 applications that you're going to demonstrate</p> <p>4 today last modified?</p> <p>5 A I have no idea.</p> <p>6 Q Is there any way to determine that date?</p> <p>7 A No, there is not.</p> <p>8 Q So it's possible that the source code that's</p> <p>9 going to be -- the source code underlying the 5.0</p> <p>10 applications for Lawson Software 5.0 procurement</p> <p>11 modules that you will demonstrate today was modified</p> <p>12 after 1991, correct?</p> <p>13 A Roger Shimada could tell you the last dates</p> <p>14 of when any source code was changed based on the</p> <p>15 source code record. And that would be a good source</p> <p>16 to get that information from.</p> <p>17 MR. STRAPP: Okay. So another request to</p> <p>18 your counsel would be to see if we could determine</p> <p>19 that information at the break.</p> <p>20 Q Going back to the compiler, can you tell me</p> <p>21 the version number for the MicroFocus COBOL compiler</p> <p>22 used to compile the objects that will be demonstrated</p> | <p>56</p> <p>1 HP-UX 11.11 machine.</p> <p>2 Q Is that the same thing or different than the</p> <p>3 HP-UX UNIX server on which the 5.0 and 6.0</p> <p>4 applications will be running today?</p> <p>5 A It's the same machine.</p> <p>6 Q So it's a HP-UX 11.11 server?</p> <p>7 A Right. That's the operating system, not the</p> <p>8 hardware. Okay? This is -- the HP-UX 11.11 is the</p> <p>9 operating environment. That's the operating system.</p> <p>10 Q Do you know when that operating system was</p> <p>11 first available, the 11.11 operating system?</p> <p>12 A No.</p> <p>13 Q All right. Let's turn back to the first</p> <p>14 page of the document, and the second line under the HP</p> <p>15 UNIX subheading, it states, "Two versions of 5.0</p> <p>16 applications on UNIX Universe 2.1 from 1995</p> <p>17 (environment:50 product lines:support, cyclical)."</p> <p>18 Can you explain for me what that means,</p> <p>19 please?</p> <p>20 A Those are also other 5.0 applications</p> <p>21 running on a -- on a newer Universe system, 2.1. That</p> <p>22 was from 1995. Their environment is the dot 5.0</p> |

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| <p style="text-align: right;">57</p> <p>1 <b>product line and they're called support and cyclical.</b></p> <p>2 Q Okay. Which 5.0 applications are running on</p> <p>3 the UNIX -- which 5.0 applications that you will be</p> <p>4 demonstrating today are running on the UNIX Universe</p> <p>5 2.0 environment from 1993?</p> <p>6 A <b>That's the ones I will be showing. I'll be</b></p> <p>7 <b>showing specifically the support product line.</b></p> <p>8 Q Well, I'm trying to differentiate between</p> <p>9 the first line under the subheading that talks about</p> <p>10 5.0 applications on UNIX Universe 2.0 and the second</p> <p>11 line that talks about the two versions of the 5.0</p> <p>12 applications on UNIX Universe 2.1 from 1995.</p> <p>13 So I want you to break into two categories</p> <p>14 the applications we'll see today from -- that will be</p> <p>15 from Lawson 5.0 that will be running on UNIX Universe</p> <p>16 2.0 and the applications that we'll see from Lawson</p> <p>17 5.0 that will be running on UNIX Universe 2.1.</p> <p>18 A <b>I am going to be showing the support product</b></p> <p>19 <b>line from UNIX Universe 2.1 from 1995 because that had</b></p> <p>20 <b>the best data. It's exactly the same applications as</b></p> <p>21 <b>the 5.0 applications on Universe 2.0. It's just from</b></p> <p>22 <b>a later date because it had -- because now the product</b></p>                                    | <p style="text-align: right;">59</p> <p>1 <b>2.1 are the same systems.</b></p> <p>2 Q So what's the difference in the data in the</p> <p>3 systems? Why is it the data in the 5.0 running on the</p> <p>4 2.0 UNIX Universe is not very good from a presentation</p> <p>5 and explanation standpoint?</p> <p>6 A <b>Because developers could care less about</b></p> <p>7 <b>having good data. They'll put in just figures like</b></p> <p>8 <b>one or X, and it's really hard to understand an</b></p> <p>9 <b>address when you just have an X in it. So what I</b></p> <p>10 <b>requested was Roger to get this other system so I had</b></p> <p>11 <b>good data that made more sense in a presentation like</b></p> <p>12 <b>today.</b></p> <p>13 Q Okay. So is it accurate to say then that</p> <p>14 the data that will be -- that you will be</p> <p>15 demonstrating for the -- the data that you will be</p> <p>16 demonstrating contained in the Lawson Software 5.0</p> <p>17 applications is data that dates from 1995?</p> <p>18 A <b>It goes back to 1993, September, that data</b></p> <p>19 <b>does.</b></p> <p>20 Q I thought you just said that the data that</p> <p>21 was available in the 1993 UNIX Universe 2.0</p> <p>22 environment was not good data from a presentation</p>                                     |
| <p style="text-align: right;">58</p> <p>1 <b>had been GA'd and we had developed a support and</b></p> <p>2 <b>cyclical database area, and that support area had the</b></p> <p>3 <b>best data, so I asked Roger, give me a system with</b></p> <p>4 <b>data so I don't have to build it again. And that's</b></p> <p>5 <b>what he did in the system development area.</b></p> <p>6 Q What kind of information is contained in the</p> <p>7 support product line for the 5.0 applications?</p> <p>8 A <b>It's exactly the same applications, but</b></p> <p>9 <b>there's data that was used by our support staff and</b></p> <p>10 <b>cyclical staffs to test and support our clients. In</b></p> <p>11 <b>the support area, it's to answer questions.</b></p> <p>12 <b>So when a -- when a system is written, it</b></p> <p>13 <b>would be written in a development area. But then once</b></p> <p>14 <b>it goes generally acceptable, it moves into</b></p> <p>15 <b>environment of support and update. And that's what</b></p> <p>16 <b>that support and cyclical area, why I requested it is</b></p> <p>17 <b>because it has data that works versus a development</b></p> <p>18 <b>area. They're just developing code, and the data is</b></p> <p>19 <b>not very good from a presentation explanation</b></p> <p>20 <b>standpoint.</b></p> <p>21 <b>But the 5.0 on the first line of UNIX</b></p> <p>22 <b>Universe 2.0 and the 5.0 applications in UNIX Universe</b></p> | <p style="text-align: right;">60</p> <p>1 standpoint so you wanted to use the data from the</p> <p>2 1995?</p> <p>3 A <b>Right, I could look, but a lot -- a lot of</b></p> <p>4 <b>the data is there. I added data and also the data</b></p> <p>5 <b>that was there does precede -- again, remember, the</b></p> <p>6 <b>5.0 applications can have data within them and they</b></p> <p>7 <b>put a new Universe on over time to upgrade the</b></p> <p>8 <b>Universe. It doesn't change the data. It just</b></p> <p>9 <b>changes the underlying structure. So we can look at</b></p> <p>10 <b>that data, but that data could well be in '94 and '93.</b></p> <p>11 Q You just said -- is it correct that you just</p> <p>12 said that you added some of this data yourself last</p> <p>13 week?</p> <p>14 A <b>Yes, I added some more data so I could have</b></p> <p>15 <b>it be more -- make more sense from a presentation</b></p> <p>16 <b>standpoint.</b></p> <p>17 Q Okay. So what kind of data did you add to</p> <p>18 the Lawson Software 5.0 systems last week that we're</p> <p>19 going -- that you will be demonstrating today?</p> <p>20 A <b>I added item numbers in. I also added</b></p> <p>21 <b>classes and subclasses of data into the system. I</b></p> <p>22 <b>added some purchase orders. I added some</b></p> |

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| <p style="text-align: right;">61</p> <p>1 requisitions.</p> <p>2 Q Anything else?</p> <p>3 A That was the major part of it.</p> <p>4 Q Did Roger Shimada add any data into the</p> <p>5 system over the past week?</p> <p>6 A No, no.</p> <p>7 Q Did you add any data over the past week into</p> <p>8 the 6.0 system that you're going to be demonstrating</p> <p>9 today?</p> <p>10 A Yes.</p> <p>11 Q What data did you add this past week into</p> <p>12 the 6.0 system that you're going to be demonstrating</p> <p>13 today?</p> <p>14 A The same ones I did in 6.0, 5.0 and 6.1, so</p> <p>15 I had a common theme of item 101, 102, here's the</p> <p>16 generic searches, here's the major and minor class</p> <p>17 searches, so that they would be operational from a</p> <p>18 data perspective.</p> <p>19 Q Okay. So the data that you added in is</p> <p>20 consistent -- you added the same data into 5.0, 6.0</p> <p>21 and 6.1 systems over the past week.</p> <p>22 A That is correct.</p>   | <p style="text-align: right;">63</p> <p>1 A I can't specify that. There's no way for me</p> <p>2 to know if it was copied to another system or from</p> <p>3 another system.</p> <p>4 Q So the date that appears from this vendor</p> <p>5 master origin date, what exactly does that tell you?</p> <p>6 A It tells me the date it was keyed into the</p> <p>7 system.</p> <p>8 Q And -- into the system that -- so, for</p> <p>9 example, if we're looking at data in the 5.0 system</p> <p>10 that you demonstrate today and the vendor master</p> <p>11 origin date says 1994 for that data, and it gives it a</p> <p>12 specific date, you can know with certainty sitting</p> <p>13 here today that that's the date on which that data was</p> <p>14 keyed into this 5.0 system?</p> <p>15 A Yes.</p> <p>16 Q Okay. And so if we look at the vendor</p> <p>17 master origin date for the data that you added in over</p> <p>18 the past week, it will have some date within the past</p> <p>19 week?</p> <p>20 A That is correct.</p> <p>21 Q All right. Earlier you mentioned that there</p> <p>22 were support groups and cyclical groups.</p>   |
| <p style="text-align: right;">62</p> <p>1 Q And you're going to demonstrate for us these</p> <p>2 systems today, correct?</p> <p>3 A That's correct.</p> <p>4 Q And would you be able to tell while you're</p> <p>5 demonstrating these systems which data in the systems</p> <p>6 was added by you over the past week?</p> <p>7 A Yes.</p> <p>8 Q And in addition to the data that you added,</p> <p>9 there's also other data in the system, correct?</p> <p>10 A That is correct.</p> <p>11 Q And what -- what's the date on which that</p> <p>12 data originated; when was that data created?</p> <p>13 A You'll see -- you'll see when I go back to</p> <p>14 the vendor master the different origin dates. That</p> <p>15 tells me when people are adding data from our support</p> <p>16 group or our development group or from our cyclical</p> <p>17 groups.</p> <p>18 Q And so does that give you the date on which</p> <p>19 the data was added into that particular system or is</p> <p>20 it possible that the data was added into a particular</p> <p>21 system and then copied and added to a different system</p> <p>22 at a later date?</p> | <p style="text-align: right;">64</p> <p>1 A That's correct.</p> <p>2 Q Can you tell me what the purposes and nature</p> <p>3 of those groups were?</p> <p>4 A When Lawson puts -- when a system goes into</p> <p>5 general availability, we have to have machines that</p> <p>6 our users can get on, meaning our -- our support</p> <p>7 staffs can get on to test and run the systems and to</p> <p>8 -- if someone gets a question, they can come on that</p> <p>9 system, review it, and talk with a client over the</p> <p>10 phone or in face-to-face consultation.</p> <p>11 So we'll -- we'll develop a system or an</p> <p>12 area of a system called support, and that's what that</p> <p>13 group will be signed on to and work with that machine.</p> <p>14 The same thing will happen with the cyclical. We'll</p> <p>15 take all the enhancements and the bugs and just</p> <p>16 general things that need cleanup in a system, and that</p> <p>17 will go out on a cyclical basis, three to six months</p> <p>18 every year depending on what the nature is. And those</p> <p>19 get tested on a separate environment so it's</p> <p>20 consistent and we'll make up another environment</p> <p>21 called cyclical to store those on. And those are used</p> <p>22 generally by developers to -- to put the pieces</p> |

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| <p>65</p> <p>1 together and say, okay, this is the cyclical, here's</p> <p>2 what it contains, it's been tested, and now it's going</p> <p>3 to be the next thing sent out to our user community as</p> <p>4 an -- as the next release of the system so they can</p> <p>5 get the enhancements and fixes that they want on</p> <p>6 our -- on our systems.</p> <p>7 Q You state -- this document states that</p> <p>8 there's two versions of 5.0 applications on the UNIX</p> <p>9 Universe 2.1. And you mentioned that those are</p> <p>10 support and cyclical?</p> <p>11 A They're the same version of the applications</p> <p>12 --</p> <p>13 Q Right.</p> <p>14 A -- it's just a different place for data and</p> <p>15 access, but it's the same 5.0 applications. There</p> <p>16 will be no difference between them except for what the</p> <p>17 cyclical have added, but support will be the same</p> <p>18 thing that's -- what is delivered to our clients.</p> <p>19 It's just a place so our support staff can run the</p> <p>20 systems without interfering with some other group</p> <p>21 within our corporation.</p> <p>22 Q Okay. And I know you've explained this</p>   | <p>67</p> <p>1 everything set up was the system running in the UNIX</p> <p>2 Universe 2.1 environment from 1995, correct?</p> <p>3 A That is correct.</p> <p>4 Q And when specifically within 1995 does this</p> <p>5 date from?</p> <p>6 A I don't know.</p> <p>7 Q Will we be able to tell that when you run</p> <p>8 the demonstration?</p> <p>9 A Most likely not a specific date. It will</p> <p>10 just have the date of those date of origins.</p> <p>11 Q When you send out to your customers, Lawson</p> <p>12 customers, a Lawson package of procurement software</p> <p>13 with the 5.0 release version, would you send out the</p> <p>14 support version or the pre-support version if you were</p> <p>15 sending it to a customer in 1995?</p> <p>16 A It would be a cyclical delivery version but</p> <p>17 not the support version because that's -- that's a</p> <p>18 specific one by our support team. The object and</p> <p>19 source code would be the same. It's that we don't</p> <p>20 give data out to our users with a support group we</p> <p>21 have in that system.</p> <p>22 Q Okay. So when it would be sent -- when the</p>   |
| <p>66</p> <p>1 before, but if you could try one more time.</p> <p>2 A Sure, go ahead.</p> <p>3 Q Why is it that you decided that it's in the</p> <p>4 best interest -- it's in our best interest today to</p> <p>5 see both 5.0 applications running on a UNIX Universe</p> <p>6 2.0 and 5.0 applications running on UNIX Universe 2.1?</p> <p>7 A It wasn't your best interest. It was in my</p> <p>8 preparation's best interest. I could take a long time</p> <p>9 to develop a system in that area.</p> <p>10 Q So explain a little bit more.</p> <p>11 A Well, when I go into a system, and a</p> <p>12 development system especially, it's not always a full</p> <p>13 implementation of a system, so I have to go back</p> <p>14 through and set all of that up. That takes -- it can</p> <p>15 take a tremendous amount of time potentially. So I</p> <p>16 said do you have a system that has everything set up.</p> <p>17 They said, sure, we have a support system because our</p> <p>18 support staff sets those things up so they can test</p> <p>19 and train and those things. So that's what they gave</p> <p>20 me.</p> <p>21 Q So the support system for the Lawson 5.0</p> <p>22 applications that you're going to demonstrate that had</p> | <p>68</p> <p>1 cyclical delivery version of 5.0 would be sent to a</p> <p>2 Lawson customer, that would be the version we're going</p> <p>3 to see later today that's running on the UNIX Universe</p> <p>4 2.1 for 1995, correct?</p> <p>5 A That is correct.</p> <p>6 Q Let's go down to the next line, the 6.0 and</p> <p>7 6.1 applications. It states, "6.0 and 6.1</p> <p>8 applications on UNIX Universe 2.1 from 1995</p> <p>9 (environment:61 product lines:WIP 60, sup 61)." Can</p> <p>10 you explain for me what that means, please?</p> <p>11 A Now we're talking about our 6.0 and 6.1</p> <p>12 applications on the supporting subsystem UNIX Universe</p> <p>13 2.1 from 1995. Its environment is called 6.1, and</p> <p>14 that's the underlying designation. And within that</p> <p>15 area, below that are two product lines, WIP, which is</p> <p>16 most likely work in progress, 6.0. So it's a 6.0</p> <p>17 system running. Then there's sup for support 6.1</p> <p>18 running the 6.1 version of the Lawson systems.</p> <p>19 So what it's telling me there is six -- I</p> <p>20 have two application sets, 6.0 and 6.1 in UNIX</p> <p>21 Universe. Its environment -- and environments can --</p> <p>22 there's multiples on a machine. This is the same</p> |

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| <p style="text-align: right;">69</p> <p>1 machine with a 2.0 environment, a 5.0 environment and</p> <p>2 a 6.1 environment. There's two product lines under</p> <p>3 that, the WIP 6.0 and the support 6.1. They're just</p> <p>4 environments that are running, again, the 6.0 and 6.1</p> <p>5 versions of Lawson.</p> <p>6 Q Okay. Which particular modules of the 6.0</p> <p>7 and 6.1 software will be running on the UNIX Universe</p> <p>8 2.1?</p> <p>9 A All of them.</p> <p>10 Q Including all of the procurement modules?</p> <p>11 A That is correct.</p> <p>12 Q And what's the difference between the 6.1</p> <p>13 procurement modules that will be running -- that</p> <p>14 you'll demonstrate on the UNIX Universe 2.1 and the</p> <p>15 6.1 procurement modules that will be demonstrated on</p> <p>16 the AS/400 Universe system?</p> <p>17 A The look and feel is the same or -- the look</p> <p>18 and feel is different from the presentation layer, but</p> <p>19 the baseline application is virtually identical. And</p> <p>20 I can show you this as I go through the presentation.</p> <p>21 Q Okay.</p> <p>22 A But the presentation layer is much different</p> | <p style="text-align: right;">71</p> <p>1 the hardware; and the Universe under -- just like UNIX</p> <p>2 has -- there's a Universe system for the AS/400. 6.2</p> <p>3 is the release version of that AS/400 Universe. And</p> <p>4 it's from 1999.</p> <p>5 Q And it states on this document, "Apparently</p> <p>6 from 1999."</p> <p>7 What does that mean to you? You think it's</p> <p>8 from 1999?</p> <p>9 A The dates on the screens, if you want to</p> <p>10 have that are, from 1999. For a compilation date, it</p> <p>11 shows the source code from 1998.</p> <p>12 Q Okay. So the source code in the 6.1</p> <p>13 application that you're going to demonstrate today on</p> <p>14 the IBM i server appears to have been completed in</p> <p>15 1998?</p> <p>16 A That was the source release date for that</p> <p>17 machine. When it's completed, it might be that date,</p> <p>18 it could be earlier.</p> <p>19 Q So what does a source release date mean to</p> <p>20 you?</p> <p>21 A A source release date is the -- is the date</p> <p>22 when that source had its final time of being written.</p>  |
| <p style="text-align: right;">70</p> <p>1 than an IBM system versus a UNIX system.</p> <p>2 Q All right. You said that the WIP60, where</p> <p>3 we were just looking in the document, probably stands</p> <p>4 for work in progress 6.0; is that correct?</p> <p>5 A That's what I'm thinking it would be.</p> <p>6 Q And does that mean that the version of the</p> <p>7 Lawson Software 6.0 that we'll be -- that you will be</p> <p>8 demonstrating later today running on UNIX Universe 2.1</p> <p>9 is a version that was in progress and not generally or</p> <p>10 commercially available?</p> <p>11 A I don't know. I can't tell from that name.</p> <p>12 Q Is that something that Roger would know?</p> <p>13 A He might.</p> <p>14 Q Let's ask him at the break, too.</p> <p>15 Do you know when in 1995 this UNIX Universe</p> <p>16 2.1 environment was available?</p> <p>17 A No.</p> <p>18 Q Let's finish up this page here. The IBM</p> <p>19 iSeries server, it states: "6.1 applications on AS/400</p> <p>20 Universe 6.2 apparently from 1999." Explain for me</p> <p>21 what that means, please.</p> <p>22 A The 6.1 is the application level. AS/400 is</p>             | <p style="text-align: right;">72</p> <p>1 And at this point in Lawson's time frame, the UNIX</p> <p>2 versions were released a year to two years ahead of</p> <p>3 the AS/400 versions.</p> <p>4 When the AS/400 version came out, they're</p> <p>5 virtually identical in function, but they were based</p> <p>6 on the COBOL code that was developed in the UNIX.</p> <p>7 Q Okay. So if the source release date for the</p> <p>8 6.1 applications that we're going to view on the</p> <p>9 AS/400 running on the IBM i server today, the source</p> <p>10 release date is 1998?</p> <p>11 A '98.</p> <p>12 Q And then would it be correct to say that the</p> <p>13 source release date for the source code for the 6.0</p> <p>14 and 6.1 applications running on UNIX Universe 2.1 was</p> <p>15 approximately 1997 or 1996?</p> <p>16 A No, it's much earlier because, remember, it</p> <p>17 was up to two years ahead of time.</p> <p>18 Q Well, didn't you say that the UNIX versions</p> <p>19 were released a year to two years ahead of the AS/400</p> <p>20 versions?</p> <p>21 A That's correct.</p> <p>22 Q And if -- didn't you also say that the</p> |



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| <p style="text-align: right;">73</p> <p>1 source release date for the AS/400 version was 1998?</p> <p>2 <b>A For this one.</b></p> <p>3 Q Correct.</p> <p>4 <b>A On that specific machine.</b></p> <p>5 Q Right.</p> <p>6 <b>A It doesn't mean that the GA date could be a</b></p> <p>7 <b>year or two years prior to that, and I don't know what</b></p> <p>8 <b>it is. I know on the UNIX one, the dates were, for</b></p> <p>9 <b>6.1, were in '94. In '93 for the -- remember I was</b></p> <p>10 <b>doing work on 6.0 development in '92. In '93 the</b></p> <p>11 <b>product GA. The AS/400 version would be sometime a</b></p> <p>12 <b>year to two years later most likely. I do not know</b></p> <p>13 <b>the specific date of that from the AS/400 perspective.</b></p> <p>14 Q So the AS/400 GA or generally available date</p> <p>15 for the 6.1 version of Lawson Software, in your -- to</p> <p>16 your best estimation would have been sometime in 1994</p> <p>17 or 1995?</p> <p>18 <b>A In '95 or '96.</b></p> <p>19 Q 1995 or 1996?</p> <p>20 <b>A That's correct.</b></p> <p>21 MR. STRAPP: Why don't we take a break here</p> <p>22 for a couple minutes.</p> | <p style="text-align: right;">75</p> <p>1 <b>hardware-wise on an iSeries computer. It's exactly</b></p> <p>2 <b>the same operating system and computer. It's just a</b></p> <p>3 <b>different model number.</b></p> <p>4 Q What operating system is running on it?</p> <p>5 <b>A Do you want me to pull out those screens or</b></p> <p>6 <b>not at this point? It's up to you. It's running --</b></p> <p>7 <b>hold on. It's running in this case. Let's look at</b></p> <p>8 <b>the page number. It doesn't even -- it's the AS/400</b></p> <p>9 <b>operating system. I'm not sure there's a name of it.</b></p> <p>10 <b>There's only one of them. There's version numbers for</b></p> <p>11 <b>it.</b></p> <p>12 Q Right. So what version number is it?</p> <p>13 <b>A I'm waiting for counsel to make a decision.</b></p> <p>14 MR. SCHULTZ: Why don't we go off the record</p> <p>15 for a minute.</p> <p>16 THE VIDEOGRAPHER: Going off the record.</p> <p>17 The time is 11:54 a.m.</p> <p>18 (Discussion off the record.)</p> <p>19 THE VIDEOGRAPHER: Back on the record. The</p> <p>20 time is 12:00 p.m.</p> <p>21 (Exhibit 3 was marked for identification and</p> <p>22 attached to the deposition transcript.)</p> |
| <p style="text-align: right;">74</p> <p>1 MR. SCHULTZ: Okay.</p> <p>2 THE VIDEOGRAPHER: Going off the record.</p> <p>3 The time is 11:28 a.m.</p> <p>4 (A brief recess was taken.)</p> <p>5 THE VIDEOGRAPHER: Go ahead.</p> <p>6 BY MR. STRAPP:</p> <p>7 Q Before the break, we were talking about the</p> <p>8 Hvass Exhibit 2. And if you can take that document</p> <p>9 out in front of you again. I had some additional</p> <p>10 questions. First, you stated earlier that certain of</p> <p>11 the Lawson 6.1 applications you will demonstrate later</p> <p>12 today will be running on an IBM i server AS/400</p> <p>13 Universe 6.2, correct?</p> <p>14 <b>A That is correct.</b></p> <p>15 Q The AS/400 is the name of the -- model name</p> <p>16 of the computer?</p> <p>17 <b>A The computer's actually an iSeries computer.</b></p> <p>18 Q And what does the AS/400 refer to?</p> <p>19 <b>A The AS/400 is the predecessor version of the</b></p> <p>20 <b>iSeries by IBM. And in the 6.1 time frame, it was</b></p> <p>21 <b>called an AS/400. So the terminology at Lawson is</b></p> <p>22 <b>this AS/400 version, which is the now running and</b></p>        | <p style="text-align: right;">76</p> <p>1 BY MR. STRAPP:</p> <p>2 Q So Mr. Hvass, the court reporter has handed</p> <p>3 you what's been marked as Hvass Exhibit 3. This is a</p> <p>4 document we received just now from Lawson counsel, and</p> <p>5 it appears to be an e-mail that was sent to you this</p> <p>6 past Thursday by Bob Geiger with the subject line</p> <p>7 "ePlus patent litigation-6.1 RQ program compiled</p> <p>8 information."</p> <p>9 Can you describe for me -- first of all, are</p> <p>10 you familiar with this document?</p> <p>11 <b>A Yes, I am.</b></p> <p>12 Q Can you tell me what it is?</p> <p>13 <b>A It's a -- they're screen shots of the actual</b></p> <p>14 <b>displays for the iSeries machine which our</b></p> <p>15 <b>demonstration system is running on.</b></p> <p>16 Q Are these shots of screens that we will be</p> <p>17 able to see while you demonstrate the software today?</p> <p>18 <b>A No, I'm -- these are secured for a system</b></p> <p>19 <b>operator only.</b></p> <p>20 Q Okay. And you're not considered a system</p> <p>21 operator when you're running this today?</p> <p>22 <b>A No, I'm not.</b></p>  |



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| <p style="text-align: right;">77</p> <p>1 Q What is a system operator in Lawson lingo?</p> <p>2 A <b>It's a person who has access to the actual</b></p> <p>3 <b>machine resources to configure the actual operating</b></p> <p>4 <b>system, its libraries and controls. And it's a highly</b></p> <p>5 <b>secured-out function that very few people would have</b></p> <p>6 <b>at Lawson. Bob has that, and that's why I asked him</b></p> <p>7 <b>to get the screen shots so they could be used to help</b></p> <p>8 <b>us, you know, show you what version of the software</b></p> <p>9 <b>we're on and what operating system.</b></p> <p>10 Q Is the system operator someone at Lawson who</p> <p>11 has the ability to check in and check out new source</p> <p>12 code into the Lawson master source code library?</p> <p>13 A <b>They could have that.</b></p> <p>14 Q What kind of assistance did Bob Geiger</p> <p>15 provide in compiling the object code for the</p> <p>16 demonstrations that you'll be showing today?</p> <p>17 A <b>He was the person who did it for the AS/400</b></p> <p>18 <b>version.</b></p> <p>19 Q Okay. And who is the person who did it for</p> <p>20 the HP UNIX server?</p> <p>21 A <b>Roger Shimada did it.</b></p> <p>22 Q Okay. So does this e-mail inform you about</p> | <p style="text-align: right;">79</p> <p>1 Q When was version 5, release 4 of the</p> <p>2 operating -- of the OS/400 operating system generally</p> <p>3 available?</p> <p>4 A <b>I have no -- I do not know.</b></p> <p>5 Q Do you know when the first version of OS/400</p> <p>6 operation system was commercially available?</p> <p>7 A <b>That would be 1990 -- 1988 when the system</b></p> <p>8 <b>came out.</b></p> <p>9 Q And do you know when version 5 of the</p> <p>10 operating -- of the OS/400 operating system was</p> <p>11 commercially available?</p> <p>12 A <b>No.</b></p> <p>13 Q If you take a look at the screen shots on</p> <p>14 pages 1, 2, 3 and 4 of this document, Hvass Exhibit 3,</p> <p>15 does it appear to you that the right side of each</p> <p>16 screen is cut off, or is that incorrect?</p> <p>17 A <b>It appears it's a little bit truncated, but</b></p> <p>18 <b>there's no significant data that's missing.</b></p> <p>19 Q Okay. Now, if you take a look at the first</p> <p>20 line of this e-mail, Bob -- Bob Geiger, who compiled</p> <p>21 the information on the IBM i server that you're going</p> <p>22 to be demonstrating today, he writes: "One of Jeff's</p>   |
| <p style="text-align: right;">78</p> <p>1 the particular version of the AS/400 -- actually, it's</p> <p>2 really inappropriate to call it the AS/400, right?</p> <p>3 It's really an IBM i server, correct?</p> <p>4 A <b>It's an IBM i server running the OS/400</b></p> <p>5 <b>operating system.</b></p> <p>6 Q Right. So it's not an AS/400 server?</p> <p>7 A <b>No. It is technically an iSeries computer</b></p> <p>8 <b>now.</b></p> <p>9 Q Okay. So when you refer to an AS/400 server</p> <p>10 in the Exhibit 2 that we looked at earlier, that is a</p> <p>11 server that was in existence when 6.1 was generally</p> <p>12 available but it's no longer the server on which 6.1</p> <p>13 is running that you'll be demonstrating today?</p> <p>14 A <b>Right. The AS/400 is a machine that's no</b></p> <p>15 <b>longer sold as a current computer by IBM and so Lawson</b></p> <p>16 <b>has an iSeries computer running the OS/400 operating</b></p> <p>17 <b>system.</b></p> <p>18 Q And you said it's running the OS/400 V5R4 --</p> <p>19 is it running the OS/400 V5R4 operating system?</p> <p>20 A <b>That's correct.</b></p> <p>21 Q So that's version 5, release 4?</p> <p>22 A <b>That's correct.</b></p>   | <p style="text-align: right;">80</p> <p>1 requirements is to provide information about the</p> <p>2 server and programs that the Lawson 6.1 system is</p> <p>3 running on for his 'demonstration'".</p> <p>4 Why does he put the demonstration in quotes</p> <p>5 in his line?</p> <p>6 A <b>I don't know. I didn't ask him.</b></p> <p>7 Q Okay. Do you think that -- okay, fair</p> <p>8 enough.</p> <p>9 Now, when he says in the second line of his</p> <p>10 e-mail, "It's running on a currently supported IBM i</p> <p>11 server, does that mean that the IBM i server is</p> <p>12 currently supported by Lawson today?</p> <p>13 A <b>Yes.</b></p> <p>14 Q And this is a version -- this is IBM -- this</p> <p>15 is a version of the IBM i server that you stated was</p> <p>16 first available in the early 2000s?</p> <p>17 A <b>Somewhere in there. They came out with an</b></p> <p>18 <b>iSeries name. They changed their model numbers</b></p> <p>19 <b>because they wanted to go into this new series.</b></p> <p>20 <b>AS/400 sounded dated, so they called it the iSeries.</b></p> <p>21 Q Okay. Now, it states in -- below the first</p> <p>22 screen shot, "However, as you can see below, the</p> |

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| <p style="text-align: right;">81</p> <p>1 compiled object binary was created on January 29th,<br/>2 1999, and the system level it was compiled on is the<br/>3 very old V4R2M0 release."<br/>4 What does "compiled object binary" refer to<br/>5 here?<br/>6 <b>A Okay, Lawson produces our code in RPG, and</b><br/>7 <b>the RPG is a source code. It goes through an RPG</b><br/>8 <b>compiler and it makes up a compiled object which is in</b><br/>9 <b>binary language, and the date is 1-29-99.</b><br/>10 <b>The VR -- or V4R2M0 is a release that was</b><br/>11 <b>compiled on of the IBM operating system. It just</b><br/>12 <b>tells them that this system has been around since 1999</b><br/>13 <b>and here's the release level it's on.</b><br/>14 Q Is the RPG compiler different than the<br/>15 MicroFocus COBOL compiler that you referred to earlier<br/>16 today?<br/>17 <b>A Yes, it's a different language compiler.</b><br/>18 Q So was the object code for the 6.1 system<br/>19 running on the IBM i server compiled using the RPG<br/>20 compiler or the MicroFocus compiler?<br/>21 <b>A The RPG compiler.</b><br/>22 Q And the object code for the systems that</p> | <p style="text-align: right;">83</p> <p>1 <b>file transfer, of their system to our system so we</b><br/>2 <b>could have it on our system to show you today.</b><br/>3 Q When did that FTP occur?<br/>4 <b>A From my understanding, it was some --</b><br/>5 <b>sometime in April.</b><br/>6 Q Okay. So is it correct to say that Ciber<br/>7 compiled the object code for the 6.1 system you'll be<br/>8 demonstrating today back in January of 1999, and then<br/>9 sometime in April 2010 that code was sent via FTP to<br/>10 Lawson Software?<br/>11 <b>A That's correct.</b><br/>12 Q What's the version and date of the -- well,<br/>13 what's -- what's the version of the RPG compiler that<br/>14 was used to compile the object code for the 6.1 system<br/>15 that you're demonstrating running on the IBM i server?<br/>16 <b>A I don't know.</b><br/>17 Q What's the date that that RPG compiler was<br/>18 commercially available?<br/>19 <b>A I don't know that either. Well, there is --</b><br/>20 <b>hold on here. There is a compiler number on screen 4</b><br/>21 <b>or page 4. It says there's a compiler, and if you</b><br/>22 <b>look on the third line on the -- of the data compiler,</b></p> |
| <p style="text-align: right;">82</p> <p>1 will be running on the HP UNIX was compiled using the<br/>2 MicroFocus COBOL compiler?<br/>3 <b>A Yes.</b><br/>4 Q So the object code for the 6.1 Lawson system<br/>5 that you'll demonstrate today that's running on the<br/>6 IBM i server was created on January 29th, 1999?<br/>7 <b>A That's correct.</b><br/>8 Q And who -- who was it created by?<br/>9 <b>A It was created by Ciber Technologies.</b><br/>10 Q Who is Ciber Technologies?<br/>11 <b>A They're a partner of Lawson Software.</b><br/>12 Q And what -- how do they partner with Lawson<br/>13 Software?<br/>14 <b>A They do -- they do consulting on Lawson.</b><br/>15 <b>They do implementations on Lawson. They do upgrades</b><br/>16 <b>on -- for Lawson either as a partner or as a</b><br/>17 <b>subcontractor.</b><br/>18 Q And what role did they play in compiling the<br/>19 object code for the 6.1 system that we're going to<br/>20 demonstrate today?<br/>21 <b>A They -- they had it on their machine and</b><br/>22 <b>then we got a copy of it through an FTP, which is a</b></p>   | <p style="text-align: right;">84</p> <p>1 <b>it has a version number 5769RG1 V4R2M0.</b><br/>2 Q Okay. So that's the same compiler number,<br/>3 version number, if you look at page 1 in the text,<br/>4 right?<br/>5 <b>A That's correct.</b><br/>6 Q So it's -- it's version 4, release 2M0 --<br/>7 <b>A Right.</b><br/>8 Q -- of the RPG compiler?<br/>9 <b>A That's correct.</b><br/>10 Q Now, in the next paragraph on page 1 after<br/>11 the paragraph we looked at, it states, "Also" -- it<br/>12 states, "Also, the actual compile date of an example<br/>13 RQ program will be helpful (including the source file<br/>14 change date/time, the program creation date/time, and<br/>15 the earliest release that program can run)," et<br/>16 cetera.<br/>17 So is this information about the R -- an<br/>18 example of an RQ program information that you and<br/>19 others attempted to compile for purposes of the<br/>20 demonstration today?<br/>21 <b>A No, Bob put that in there. I -- he just put</b><br/>22 <b>this in there also the actual compile date of an</b></p>   |

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| <p style="text-align: right;">85</p> <p>1 example RQ program. If you look at page 2, he's</p> <p>2 actually done that, and he put -- he's -- look at the</p> <p>3 RQ10 program and it tells you down at the last three</p> <p>4 or four lines of the data creation date, source file</p> <p>5 date and time. And then the compile -- the system</p> <p>6 level and compiler again. So that's what he -- he</p> <p>7 actually included that saying, well, you -- since you</p> <p>8 didn't ask for it, Jeff, I'm going to actually give</p> <p>9 you one, and this screen shows the system and compiler</p> <p>10 number for the requisition maintenance program is</p> <p>11 compiled on, and then he -- he gives us the screen</p> <p>12 itself.</p> <p>13 Q Is this the requisitions model for Lawson 6</p> <p>14 point -- is this the screen shot for -- that provides</p> <p>15 information about the requisitions module 6.1 that you</p> <p>16 will demonstrate later today?</p> <p>17 A Yes.</p> <p>18 Q And is it accurate to say that the program</p> <p>19 creation date for the requisitions module version 6.1</p> <p>20 running on the IBM iSeries that you'll demonstrate</p> <p>21 later today is January 29th, 1999?</p> <p>22 A That was the creation date. Then there's</p> | <p style="text-align: right;">87</p> <p>1 idea what that means, or Taraspace, which I do not</p> <p>2 know. It just shows you a little bit more about what</p> <p>3 they did with that program from a compilation</p> <p>4 standpoint.</p> <p>5 Q Okay. If we look at the last screen shot on</p> <p>6 page 4, you see there's a line on that screen shot</p> <p>7 that says "earliest release that program can run,</p> <p>8 V2R3M0."</p> <p>9 A Uh-hmm.</p> <p>10 Q What does that refer to?</p> <p>11 A When you compile a program, it -- you have</p> <p>12 to know the earliest version level it can run on</p> <p>13 because if you try to take that program and put it on</p> <p>14 a computer with a prior operating system program, it</p> <p>15 will fail. And so they always when they compile a</p> <p>16 program saying here's the earliest version that you</p> <p>17 can run it on so you know that you don't try to put it</p> <p>18 on an operating system that it won't run on. So if I</p> <p>19 was -- if I compile something on, you know, on version</p> <p>20 3, if you try to go and use it on version 2, a prior</p> <p>21 one, it will fail. And that's what that's telling</p> <p>22 them there.</p> |
| <p style="text-align: right;">86</p> <p>1 also the source file date which goes back to December</p> <p>2 10th, 1998. Those are correct.</p> <p>3 Q Okay. And what's the difference between the</p> <p>4 creation date and the source file date?</p> <p>5 A When they finish writing source code, it</p> <p>6 might not be compiled for some time. In this case if</p> <p>7 you look, you have roughly 29 plus 15, so 44 days</p> <p>8 later this -- the actual source code was compiled on a</p> <p>9 machine and became the binary source.</p> <p>10 Q And does RQ10 refer to the requisitions</p> <p>11 module for version 6.1 that you will demonstrate</p> <p>12 today?</p> <p>13 A Yes, in this version it does. RQ10 is the</p> <p>14 requisition creation program.</p> <p>15 Q What does the third screen shot on page 3 of</p> <p>16 this e-mail show?</p> <p>17 A It shows you that -- it shows you the source</p> <p>18 file and the library it's in. That's that RQP program</p> <p>19 source for 6.0. It's in the library they stored it in</p> <p>20 in DEVDFS. It gives you a program number, a date, and</p> <p>21 then some security things for user profiles, who has</p> <p>22 authority in it, fixed decimal date, which I have no</p>                                     | <p style="text-align: right;">88</p> <p>1 Q So it's saying that the earliest version of</p> <p>2 what, earliest version of --</p> <p>3 A Of the operating system.</p> <p>4 Q Of which operating system?</p> <p>5 A Of the A -- AS/400/iSeries. If you -- if</p> <p>6 you try to run this on anything earlier than V2R3M0,</p> <p>7 it would fail.</p> <p>8 Q And do you know when V2R3M0 was commercially</p> <p>9 available?</p> <p>10 A No, I don't.</p> <p>11 Q Do you have any other e-mails that you've</p> <p>12 exchanged over the past week with Bob Geiger, Roger</p> <p>13 Shimada, Dan Groff, Eric Kneer or Jean-Marc DeBaud</p> <p>14 that concern the demonstration that you're going to be</p> <p>15 providing today but do not include on them, on the</p> <p>16 to/from or cc line, any Lawson attorneys?</p> <p>17 A I have some requesting, getting information</p> <p>18 from the operating systems and so on.</p> <p>19 Q Do any of those e-mails provide information,</p> <p>20 you know, relevant to these demonstrations?</p> <p>21 A Not that I can think of. Just the request</p> <p>22 of getting the information and then when I -- when I</p>   |

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| <p style="text-align: right;">89</p> <p>1 <b>got that information, I copied in a Lawson counsel.</b></p> <p>2 MR. STRAPP: My request to counsel is if</p> <p>3 there's any similar e-mails like this one that contain</p> <p>4 relevant information to this deposition that are not</p> <p>5 privileged, we would request that they be produced.</p> <p>6 MR. SCHULTZ: The only thing that we would</p> <p>7 have that's in addition to this is the information</p> <p>8 that's already been provided that wasn't an e-mail</p> <p>9 that Mr. Hvass put into a Word document, and that's</p> <p>10 Exhibit 2.</p> <p>11 MR. STRAPP: Can you provide us with the</p> <p>12 e-mail as well?</p> <p>13 MR. SCHULTZ: Let me look to see if it has</p> <p>14 any additional comments on it. At this point I'm</p> <p>15 going to object -- object as attorney-client</p> <p>16 privilege, but I'll look in it and I'll provide those</p> <p>17 to you if -- if not.</p> <p>18 Q So before we turn back to Hvass Exhibit 2, I</p> <p>19 have one more question on Hvass Exhibit 3.</p> <p>20 <b>A Uh-hmm.</b></p> <p>21 Q Actually a few more questions.</p> <p>22 If you take a look at the second screen shot</p>   | <p style="text-align: right;">91</p> <p>1 later?</p> <p>2 <b>A Just the display services piece.</b></p> <p>3 Q And I want to go back to make sure I've got</p> <p>4 this correct. The creation date of the requisitions</p> <p>5 module for Lawson 6.1 that you'll demonstrate today</p> <p>6 running on IBM iSeries server is January 29th, 1999,</p> <p>7 correct?</p> <p>8 <b>A That is correct.</b></p> <p>9 Q And the source file date for the</p> <p>10 requisitions module 6.1 that you'll be demonstrating</p> <p>11 today running on IBM iSeries is December 15th, 1998,</p> <p>12 correct?</p> <p>13 <b>A Correct.</b></p> <p>14 Q All right. Let's look back at Hvass Exhibit</p> <p>15 2. I want to turn to page 2 of Hvass Exhibit 2.</p> <p>16 There's information in -- on page 2 of Hvass Exhibit 2</p> <p>17 about the configuration of the Lawson 6.0 -- Lawson</p> <p>18 5.0, Lawson 6.0 and 6.1 systems that you'll be</p> <p>19 demonstrating today, correct?</p> <p>20 <b>A That is correct.</b></p> <p>21 Q Can you summarize for me what that</p> <p>22 information -- summarize for me the information on</p>  |
| <p style="text-align: right;">90</p> <p>1 at the bottom left, there's a copyright date for IBM</p> <p>2 Corp and there's two dates, 1980 and 2005.</p> <p>3 <b>A Right.</b></p> <p>4 Q What do those dates refer to?</p> <p>5 <b>A That's the presentation layer of how we</b></p> <p>6 <b>display our systems, and that's from IBM. It's a</b></p> <p>7 <b>utility. That's what I'll be using today.</b></p> <p>8 Q What utility is that?</p> <p>9 <b>A It's a display utility of how they present</b></p> <p>10 <b>-- present their presentation layer of their operating</b></p> <p>11 <b>system. In our case, also how you communicate to and</b></p> <p>12 <b>from the system.</b></p> <p>13 Q So the 6.1 version of Lawson running on the</p> <p>14 IBM iSeries that you'll be demonstrating today is</p> <p>15 running on a presentation layer or software from IBM</p> <p>16 that dates from 2005; is that correct; or that has a</p> <p>17 copyright date of 2005?</p> <p>18 <b>A Yes. And 1980.</b></p> <p>19 Q And 1980. But if there's -- is it fair to</p> <p>20 assume if there's two copyright dates, 1980 and 2005,</p> <p>21 that the display software you're going to be using to</p> <p>22 show us today the Lawson 6.1 system is either 2005 or</p> | <p style="text-align: right;">92</p> <p>1 page 2?</p> <p>2 <b>A Well, it tells you there's two sources.</b></p> <p>3 <b>There's a Ciber source that was used in libraries. It</b></p> <p>4 <b>talks about the user profile and some manual</b></p> <p>5 <b>instructions.</b></p> <p>6 <b>And then there's a second part regarding the</b></p> <p>7 <b>HP-UX about the Universe variables and the COBOL</b></p> <p>8 <b>compilers. And accounts payable, the vendor master</b></p> <p>9 <b>was recompiled because it had an error in the syntax,</b></p> <p>10 <b>which Roger fixed so I could use the program.</b></p> <p>11 Q All right, let's start with the Ciber</p> <p>12 provided system. Is that the system -- the 6.1 system</p> <p>13 what we'll be running on the IBM iSeries?</p> <p>14 <b>A That is correct.</b></p> <p>15 Q And in what way did you restore libraries of</p> <p>16 the same name that they were saved from? I'm</p> <p>17 referring to the top of the page.</p> <p>18 <b>A It just has a date. "The Ciber provided</b></p> <p>19 <b>system will be restored to libraries of the same name</b></p> <p>20 <b>that they were saved from." So they just copied</b></p> <p>21 <b>exactly -- they called it X, we copied it into a</b></p> <p>22 <b>library and called it X again. And that just shows</b></p> |

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| <p style="text-align: right;">93</p> <p>1 <b>you the commands that were used.</b></p> <p>2 Q Okay. So it exists on the Ciber system,</p> <p>3 right?</p> <p>4 <b>A It was on a Ciber system being stored, yes.</b></p> <p>5 Q And was it being stored on an IBM iSeries</p> <p>6 server at Ciber?</p> <p>7 <b>A Most likely.</b></p> <p>8 Q And the libraries were -- what does</p> <p>9 libraries refer to? Are those like files?</p> <p>10 <b>A Those are files. Those are storage areas,</b></p> <p>11 <b>yes.</b></p> <p>12 Q Okay. So the files on the Ciber system were</p> <p>13 copied and then FTP'd over to Lawson?</p> <p>14 <b>A You just do a direct FTP because it does it.</b></p> <p>15 <b>You don't need to copy it. You do a FTP and it</b></p> <p>16 <b>transfers the files verbatim onto another system.</b></p> <p>17 Q So why was it necessary to restore the</p> <p>18 libraries or the files on the Ciber system?</p> <p>19 <b>A Well, they might be condensed in the -- in</b></p> <p>20 <b>the FTP process and then we have to go back and</b></p> <p>21 <b>restore them for compatibility purposes.</b></p> <p>22 Q Do you have a list of the particular</p> | <p style="text-align: right;">95</p> <p>1 <b>and it grants you permissions to use the software</b></p> <p>2 <b>properly.</b></p> <p>3 Q Continue on the bottom half of the page, it</p> <p>4 states, "For each instance of Universe, a number of</p> <p>5 environment variables are set."</p> <p>6 Does the Universe in this -- on this page</p> <p>7 refer to the UNIX Universe or --</p> <p>8 <b>A UNIX Universe in this case because he's</b></p> <p>9 <b>referring to the HP-UX system.</b></p> <p>10 Q Okay. And so for the five -- for the 5.0</p> <p>11 cyclical version of Lawson Software and for the 6.0</p> <p>12 and 6.1 applications that you will demonstrate later</p> <p>13 today running on the HP UNIX server, this refers here</p> <p>14 to UNIX Universe 2.1 from 1995?</p> <p>15 <b>A It would be two different Universes. One is</b></p> <p>16 <b>the 2.0 system; one is the 2.1 system. He's saying</b></p> <p>17 <b>here that each instance of Universe, a number of</b></p> <p>18 <b>environmental variables were set.</b></p> <p>19 Q Oh, okay.</p> <p>20 <b>A And that's the directories in which they</b></p> <p>21 <b>were set in so the system could operate.</b></p> <p>22 Q Are these environment variables set in the</p> |
| <p style="text-align: right;">94</p> <p>1 libraries that Ciber provided?</p> <p>2 <b>A I personally don't, no.</b></p> <p>3 Q Do you know whether Roger Shimada or someone</p> <p>4 else at Lawson has a list?</p> <p>5 <b>A Bob Geiger could get them.</b></p> <p>6 Q Okay. So we could request that you try to</p> <p>7 obtain those -- that list from Bob then at the next</p> <p>8 break if possible.</p> <p>9 All right. It says on this document here,</p> <p>10 "A user profile called DE -- called DEMO61 was</p> <p>11 created." That's a user profile that was created so</p> <p>12 that you could use that profile to demonstrate the 6.1</p> <p>13 system?</p> <p>14 <b>A That is correct.</b></p> <p>15 Q Now, both for the Ciber provided system as</p> <p>16 well as the system running on HP UNIX, it states that</p> <p>17 an existing Lawson user was used. Do you know who</p> <p>18 that existing Lawson user is?</p> <p>19 <b>A It's not a person.</b></p> <p>20 Q Okay.</p> <p>21 <b>A It's a piece of our software that's in there</b></p> <p>22 <b>as a default sign-on area. So I can sign on as Lawson</b></p>  | <p style="text-align: right;">96</p> <p>1 same way that they would have been set when customers</p> <p>2 used the Lawson systems back in the 1990s?</p> <p>3 <b>A Yes.</b></p> <p>4 Q How do you know that?</p> <p>5 <b>A From general practice.</b></p> <p>6 Q When you would demonstrate these 5.0, 6.0</p> <p>7 and 6.1 systems during your role demonstrating</p> <p>8 software back in the 1991 to 1997 time frame, did you</p> <p>9 have knowledge of how the environment variables for</p> <p>10 the UNIX Universe were set?</p> <p>11 <b>A I knew them once upon a time, and generally</b></p> <p>12 <b>they were set by technicians and left for the duration</b></p> <p>13 <b>of that software demonstration release.</b></p> <p>14 Q Okay. And to your knowledge, the</p> <p>15 environment variables that are listed here on page 2</p> <p>16 are the same way that those environment variables were</p> <p>17 set when you would demonstrate the software back in</p> <p>18 the 1990s?</p> <p>19 <b>A Yes.</b></p> <p>20 Q It says here, "Lawson Universe shell scripts</p> <p>21 were modified to use the MicroFocus COBOL installed on</p> <p>22 the system."</p>   |



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| <p>97</p> <p>1 In what way did the -- first of all, what is</p> <p>2 a Lawson Universe shell script?</p> <p>3 <b>A I do not know.</b></p> <p>4 Q Is there a similar -- you testified earlier</p> <p>5 there's a library list of files that were provided</p> <p>6 from Ciber, correct, from the Ciber system?</p> <p>7 <b>A Yes.</b></p> <p>8 Q Is there similarly a list of files or a</p> <p>9 library list for the files used for the systems that</p> <p>10 you'll be demonstrating on the -- running on the HP</p> <p>11 UNIX server?</p> <p>12 <b>A There's a similar version of them that shows</b></p> <p>13 <b>all of our systems and databases, et cetera.</b></p> <p>14 Q Is that contained in a document or available</p> <p>15 somewhere where we could --</p> <p>16 <b>A It would have to be pulled off of the</b></p> <p>17 <b>machine that it's running in.</b></p> <p>18 Q Is that something that could be done by</p> <p>19 either today by your demonstration or by someone back</p> <p>20 at Lawson today?</p> <p>21 <b>A Someone back at Lawson. Roger could do</b></p> <p>22 <b>that.</b></p> | <p>99</p> <p>1 <b>A That's correct.</b></p> <p>2 Q So let me try to get this straight in my</p> <p>3 head. The object code for the Lawson 6.1 software is</p> <p>4 going to be running on the IBM iSeries server was</p> <p>5 compiled back in 1999 by Ciber, correct?</p> <p>6 <b>A That's correct.</b></p> <p>7 Q And then it was sent via FTP to Lawson in</p> <p>8 April 2010, correct?</p> <p>9 <b>A Correct.</b></p> <p>10 Q Then it was compiled again last week?</p> <p>11 <b>A I believe it was just -- they just took the</b></p> <p>12 <b>binary software and put it in the right libraries and</b></p> <p>13 <b>continued to run. I do not believe it was compiled.</b></p> <p>14 Q Okay. So the only thing that was compiled</p> <p>15 last week would have been the systems that you'll be</p> <p>16 demonstrating that are running on the HP UNIX server?</p> <p>17 <b>A That's correct.</b></p> <p>18 Q And those -- okay. And those were compiled</p> <p>19 by Roger Shimada?</p> <p>20 <b>A Correct.</b></p> <p>21 Q All right. So will we be able to choose</p> <p>22 today which one we want to demonstrate first or do you</p>         |
| <p>98</p> <p>1 MR. STRAPP: Okay. So let's make --</p> <p>2 <b>A We have asked for the directories.</b></p> <p>3 Q Oh, okay, you have already requested that.</p> <p>4 <b>A Uh-hmm.</b></p> <p>5 Q And that will contain all of that</p> <p>6 information?</p> <p>7 <b>A Yes, it will.</b></p> <p>8 Q What syntax -- do you know what syntax error</p> <p>9 was corrected by changing the support product line for</p> <p>10 AP10?</p> <p>11 <b>A No.</b></p> <p>12 Q Do you know what a syntax error refers to in</p> <p>13 this context?</p> <p>14 <b>A Yes, in the COBOL language, when you compile</b></p> <p>15 <b>a program, if you're off by -- you put the wrong</b></p> <p>16 <b>letter in or decimal point, it will give you what they</b></p> <p>17 <b>call a syntax error. You correct it and recompile.</b></p> <p>18 <b>He was done with it in less than a minute.</b></p> <p>19 Q So when did you notice that syntax error?</p> <p>20 <b>A When I was working with the software.</b></p> <p>21 Q And that was after it was compiled last</p> <p>22 week?</p>  | <p>100</p> <p>1 have it in some particular order that you --</p> <p>2 <b>A It does not matter to me which one you want</b></p> <p>3 <b>to go to.</b></p> <p>4 Q All right. So before we launch into this</p> <p>5 demonstration, let me ask you some questions about how</p> <p>6 you're going to be demonstrating the software to us</p> <p>7 today. First of all, can you tell me about the laptop</p> <p>8 that you're going to be using to access the</p> <p>9 demonstrations today?</p> <p>10 <b>A Uh-hmm, it's a Lenova T61p laptop or</b></p> <p>11 <b>ThinkPad computer commercially available from many</b></p> <p>12 <b>sources. There's nothing unique about it.</b></p> <p>13 Q Okay. And is Lenova, that's the company</p> <p>14 that acquired IBM's ThinkPad division?</p> <p>15 <b>A That is correct.</b></p> <p>16 Q All right. So it's fair to assume that this</p> <p>17 laptop dates after that acquisition of IBM by Lenova?</p> <p>18 <b>A Yes, it does.</b></p> <p>19 Q So is it a late model within the last couple</p> <p>20 of years?</p> <p>21 <b>A It's about two and a half years old, right</b></p> <p>22 <b>in there.</b></p> |



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| <p style="text-align: right;">101</p> <p>1 Q So it's probably early 2008?</p> <p>2 A <b>Right in there.</b></p> <p>3 Q What kind of operating system is running on</p> <p>4 the laptop?</p> <p>5 A <b>This one is running server 2008 in a 64-bit</b></p> <p>6 <b>architecture.</b></p> <p>7 Q Is that a Windows operating system?</p> <p>8 A <b>Yes, it is.</b></p> <p>9 Q And when was that Windows operating system</p> <p>10 first commercially available?</p> <p>11 A <b>I would -- it would follow the dates, so it</b></p> <p>12 <b>would be 2003 most likely.</b></p> <p>13 Q How are you connecting today to the Lawson</p> <p>14 systems running on the servers back at Lawson?</p> <p>15 A <b>Okay, so I'm using a standard Internet</b></p> <p>16 <b>connection and we're using VPN software by F5 is the</b></p> <p>17 <b>name of the organization, and it's connecting via</b></p> <p>18 <b>their servers into -- or through the Lawson firewall</b></p> <p>19 <b>into our network of connections in St. Paul.</b></p> <p>20 Q All right. Do you know when the VPN</p> <p>21 software from F5 was first commercially available?</p> <p>22 A <b>No, I do not.</b></p>                             | <p style="text-align: right;">103</p> <p>1 Q Do you know whether the VPN software that</p> <p>2 you're using was available prior to 2000?</p> <p>3 A <b>I don't know that.</b></p> <p>4 Q What -- was the name of the company that</p> <p>5 provides the software F5?</p> <p>6 A <b>F5.</b></p> <p>7 Q Does Lawson license the VPN software from</p> <p>8 F5?</p> <p>9 A <b>Yes, we do.</b></p> <p>10 Q Do you know what kind of processor your</p> <p>11 laptop has?</p> <p>12 A <b>It has a dual core Pentium chip processor.</b></p> <p>13 <b>That's about all I know.</b></p> <p>14 Q Do you know sometimes when you go to the</p> <p>15 system start button on Windows you can pull up the</p> <p>16 about -- tells you about it. Would you be able to do</p> <p>17 that now so we could just take a look at the</p> <p>18 processor?</p> <p>19 A <b>I would have -- I would have to reconfigure</b></p> <p>20 <b>the whole -- I would have to shut the whole computer</b></p> <p>21 <b>off.</b></p> <p>22 Q You can't do it because you're already</p>         |
| <p style="text-align: right;">102</p> <p>1 Q Do you know when VPN software generally was</p> <p>2 first commercially available?</p> <p>3 A <b>Lawson started using VPN software</b></p> <p>4 <b>specifically probably four to five years ago, but I</b></p> <p>5 <b>don't know the specific commercial dates.</b></p> <p>6 Q I want to go back for a minute to the date</p> <p>7 of the Windows operating system. I want to make sure,</p> <p>8 was it 2003 that the system was available or 2008 that</p> <p>9 the system was available, the Windows operating</p> <p>10 system?</p> <p>11 A <b>The Windows server 2003 is what I'm running.</b></p> <p>12 Q Okay.</p> <p>13 A <b>And that would be a 2003 forward time frame.</b></p> <p>14 Q Okay. So Lawson started using VPN software</p> <p>15 probably about four or five years ago; is that</p> <p>16 correct?</p> <p>17 A <b>That's correct.</b></p> <p>18 Q And is it fair to say that the version of</p> <p>19 the VPN software that you're running was commercially</p> <p>20 available at most four to five years ago?</p> <p>21 A <b>I don't know. I -- I didn't acquire the</b></p> <p>22 <b>software. I'm just a user of the software.</b></p> | <p style="text-align: right;">104</p> <p>1 logged in?</p> <p>2 A <b>I'm logged in and running.</b></p> <p>3 Q So after we're done with the demonstration,</p> <p>4 let's go back and make a note to do that.</p> <p>5 Would you agree with me that the VPN</p> <p>6 software you're using on your computer was not</p> <p>7 commercially available prior to 1995?</p> <p>8 A <b>I -- I do not know that answer one way or</b></p> <p>9 <b>the other.</b></p> <p>10 Q Were you using the Internet at Lawson in</p> <p>11 1994?</p> <p>12 A <b>No.</b></p> <p>13 Q Did you start using it in 1995?</p> <p>14 A <b>'95 and '96.</b></p> <p>15 Q So to your recollection you started using</p> <p>16 the Internet at Lawson in 1995 and 1996 and you</p> <p>17 started using VPN software at Lawson four to five</p> <p>18 years ago?</p> <p>19 A <b>At least that time frame.</b></p> <p>20 Q So when you connect through the VPN to the</p> <p>21 Lawson Legacy systems running on the servers we</p> <p>22 discussed, will that Lawson Software, is that executed</p> |

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| <p style="text-align: right;">105</p> <p>1 on a mainframe system?</p> <p>2 <b>A It's on the -- the VPN itself or the actual</b></p> <p>3 <b>system I'm showing you?</b></p> <p>4 Q The actual systems you're showing me.</p> <p>5 <b>A They'll be running on an iSeries and an</b></p> <p>6 <b>HP-UX.</b></p> <p>7 Q But the VPN will be running on your laptop?</p> <p>8 <b>A The VPN acts as a remote server that's</b></p> <p>9 <b>controlled by F5. And I do not know where that is</b></p> <p>10 <b>located.</b></p> <p>11 Q Do you know -- do you know what kind of</p> <p>12 server that is?</p> <p>13 <b>A No, I do not.</b></p> <p>14 Q You testified earlier that you were using --</p> <p>15 that to prepare for this deposition earlier this past</p> <p>16 week you had a couple of interfaces placed on your</p> <p>17 computer --</p> <p>18 <b>A Yes.</b></p> <p>19 Q -- is that correct?</p> <p>20 Is that some -- do those interfaces consist</p> <p>21 of some sort of emulator software?</p> <p>22 <b>A Yes, 5250 emulator and a Telnet session for</b></p>  | <p style="text-align: right;">107</p> <p>1 including the versions that we're going to view today</p> <p>2 for potential customers back in the 1990s?</p> <p>3 <b>A Yes.</b></p> <p>4 Q Did you also -- when -- when was the Telnet</p> <p>5 session for the UNIX server first commercially</p> <p>6 available?</p> <p>7 <b>A For Lawson products, in about 1990 would be</b></p> <p>8 <b>my best recollection.</b></p> <p>9 Q And did you also use the Telnet session to</p> <p>10 -- as an emulator when you were demonstrating systems</p> <p>11 to potential customers back in the '90s?</p> <p>12 <b>A Yes.</b></p> <p>13 Q Earlier today we talked about the particular</p> <p>14 operating system and operating environment for the HP</p> <p>15 UNIX server, and you had mentioned that the operating</p> <p>16 system was an 11.11 operating system version.</p> <p>17 Before we get into the demonstration, if you</p> <p>18 could just turn back to page, let's see, page 3 of</p> <p>19 Hvass 2.</p> <p>20 <b>A That's --</b></p> <p>21 Q Do you see the top paragraph there refers to</p> <p>22 a "64-bit Windows machine." Can you describe for me</p>   |
| <p style="text-align: right;">106</p> <p>1 <b>UNIX.</b></p> <p>2 Q Right. And are those the same type of</p> <p>3 emulators that you're going to be using today during</p> <p>4 the demonstration?</p> <p>5 <b>A They're the exact ones.</b></p> <p>6 Q So the 5250 emulator is to show us today the</p> <p>7 6.1 Lawson Software running in the IBM iSeries?</p> <p>8 <b>A Correct.</b></p> <p>9 Q And the Telnet session is to show us today</p> <p>10 the Lawson systems running on the HP UNIX server?</p> <p>11 <b>A Correct.</b></p> <p>12 Q When was the 5250 emulator commercially</p> <p>13 available?</p> <p>14 <b>A Lawson used the -- this emulator starting in</b></p> <p>15 <b>at least 1992 or three when we were demonstrating our</b></p> <p>16 <b>remote systems in what they call a green screen</b></p> <p>17 <b>environment, which is the equivalent of a character</b></p> <p>18 <b>mode system. And that's continued on until today.</b></p> <p>19 Q Did you personally use the Lawson 5250 --</p> <p>20 sorry, not the Lawson 5250. Let me start over.</p> <p>21 Did you personally use the 5250 emulator</p> <p>22 when you were demonstrating Lawson Legacy software,</p> | <p style="text-align: right;">108</p> <p>1 what that paragraph is referring to?</p> <p>2 <b>A That's my PC. It's a 64-bit Windows</b></p> <p>3 <b>machine, and we'll have access to the Ciber provided</b></p> <p>4 <b>system via IBM Client Access 7.1, which is the</b></p> <p>5 <b>software that's -- that presents the Lawson Software</b></p> <p>6 <b>is IBM's Client Access 7.1.</b></p> <p>7 Q And that's the presentation software that's</p> <p>8 got the copyright dates of 1980 and 2005?</p> <p>9 <b>A That is correct.</b></p> <p>10 Q Okay. And the 64-bit Windows machine refers</p> <p>11 to your Lenovo ThinkPad?</p> <p>12 <b>A Correct.</b></p> <p>13 Q IBM client -- it states here, "IBM Client</p> <p>14 Access for Windows is included with the IBM i, but</p> <p>15 V5R4 does not have a 64-bit version of Client Access."</p> <p>16 What does that mean?</p> <p>17 <b>A I'm believing just what it says at face</b></p> <p>18 <b>value that if you want to have Client Access for</b></p> <p>19 <b>Windows, it's included with the IBM iSeries, but</b></p> <p>20 <b>version 5R4 does not have a 64 -- 64-bit version of</b></p> <p>21 <b>Client Access.</b></p> <p>22 Q Let me try to parse that in my simple</p> |

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| <p style="text-align: right;">109</p> <p>1 understanding of these concepts here.</p> <p>2 IBM Client Access for Windows is Client</p> <p>3 Access 7.1 that we were talking about in the previous</p> <p>4 sentence?</p> <p>5 <b>A That's correct.</b></p> <p>6 Q And that's included as software that can be</p> <p>7 used to present the systems running on the IBM iSeries</p> <p>8 server?</p> <p>9 <b>A Right. And what they're getting at is, is</b></p> <p>10 <b>included meaning there's no charge for it.</b></p> <p>11 Q Okay. Now, version 5, release 4, doesn't</p> <p>12 that refer to --</p> <p>13 <b>A That's --</b></p> <p>14 Q -- version 5, release 4 of the software --</p> <p>15 of the operating system running the IBM -- on the IBM</p> <p>16 iSeries?</p> <p>17 <b>A That's correct.</b></p> <p>18 Q So the current operating system running on</p> <p>19 the IBM iSeries does not have a 64-bit version of</p> <p>20 Client Access?</p> <p>21 <b>A Right.</b></p> <p>22 Q Does that mean that when you do the</p>  | <p style="text-align: right;">111</p> <p>1 Q So why don't we look at -- before I ask you</p> <p>2 to log into 5.0, because I guess we'll start with 5.0.</p> <p>3 <b>A That's fine.</b></p> <p>4 Q On page 5 of Hvass 2, there is some 5.0 demo</p> <p>5 notes that you said you compiled --</p> <p>6 <b>A Uh-hmm.</b></p> <p>7 Q -- for the purpose of this demonstration</p> <p>8 today.</p> <p>9 <b>A Uh-hmm, yes.</b></p> <p>10 Q What are those 5.0 demo notes intended to</p> <p>11 cover?</p> <p>12 <b>A They're just data so I know when I go in</b></p> <p>13 <b>that I don't put in erroneous data and we watch a</b></p> <p>14 <b>bunch of errors and edits, so I put down here what</b></p> <p>15 <b>vendor number verify the buyer. They're just a series</b></p> <p>16 <b>of codes that I set up to make sure they operate or I</b></p> <p>17 <b>noticed to make sure they work correctly.</b></p> <p>18 Q What version of Lawson Interface Desktop are</p> <p>19 you going to be using today?</p> <p>20 <b>A I think it's in the notes.</b></p> <p>21 Q It says the most recent version is 9.0.1.4.</p> <p>22 <b>A Four.</b></p>              |
| <p style="text-align: right;">110</p> <p>1 demonstration today, you're not going to be able to</p> <p>2 use IBM Client Access?</p> <p>3 <b>A No, I'm running a 64-bit machine, but I'm</b></p> <p>4 <b>actually running the 32-bit application process.</b></p> <p>5 Q And then at the bottom of this page it says,</p> <p>6 "Access to the HP-UX machine is provided by the Lawson</p> <p>7 Interface Desktop by Microsoft Windows." What is the</p> <p>8 Lawson Interface Desktop?</p> <p>9 <b>A That is a piece of software that Lawson</b></p> <p>10 <b>developed to get access into our applications in the</b></p> <p>11 <b>UNIX and Windows environment. And that's a</b></p> <p>12 <b>presentation layer piece.</b></p> <p>13 Q When was that developed?</p> <p>14 <b>A It goes back to -- the original -- the</b></p> <p>15 <b>original implementations of that would go back to</b></p> <p>16 <b>1990.</b></p> <p>17 Q In the 1990s, did you use the same version</p> <p>18 of the 5250 and Telnet emulators that you will be</p> <p>19 using today?</p> <p>20 <b>A Uh-hmm.</b></p> <p>21 Q Yes?</p> <p>22 <b>A Yes.</b></p> | <p style="text-align: right;">112</p> <p>1 Q And that's the version you'll use today?</p> <p>2 <b>A Yes.</b></p> <p>3 Q Do you know when that version was</p> <p>4 commercially available?</p> <p>5 <b>A Within the last year because it says 9.0, so</b></p> <p>6 <b>it would be in the 9.0 architecture area.</b></p> <p>7 Q So turning back to the 5.0 demo notes,</p> <p>8 starting at the top it states, "Recompile of Lawson,</p> <p>9 found on UNIX server at Lawson." Does -- what does</p> <p>10 that mean?</p> <p>11 MR. SCHULTZ: Before we -- before we</p> <p>12 continue, Mr. Hvass, if you could answer yes or no to</p> <p>13 the questions.</p> <p>14 THE WITNESS: Yes.</p> <p>15 MR. SCHULTZ: As opposed to the uh-hmm.</p> <p>16 THE WITNESS: Yes.</p> <p>17 MR. SCHULTZ: Thank you.</p> <p>18 <b>A A recompile of Lawson, this -- the</b></p> <p>19 <b>applications that I'm using today were recompiled by</b></p> <p>20 <b>specifically Roger Shimada of Lawson, and the versions</b></p> <p>21 <b>were found on a -- on a Lawson server Adder in our IS</b></p> <p>22 <b>operations. So that was the sourcing of the system as</b></p> |

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| <p>113</p> <p>1 a note.</p> <p>2 Q Who found those versions on the Lawson</p> <p>3 server?</p> <p>4 A I don't know.</p> <p>5 Q But they were found on the HP UNIX server?</p> <p>6 A That is correct.</p> <p>7 Q "UNIX version 1991 date," it states in the</p> <p>8 second line. What does that refer to?</p> <p>9 A Those are from my notes, the original</p> <p>10 exhibit on 2, that they noted that the dates were in</p> <p>11 there. And I also noted that the actual application</p> <p>12 level was a 1991 date, specifically September of 1991.</p> <p>13 Q What functionality does the Lawson Interface</p> <p>14 Desktop 9.0.1.4 that you'll be using today provide in</p> <p>15 terms of the demonstration you're going to show us?</p> <p>16 A It provides the presentation layer of what</p> <p>17 -- how the Lawson renders its screens to be shown to a</p> <p>18 user.</p> <p>19 Q Is it somewhat analogous to the IBM Client</p> <p>20 Access 7.1?</p> <p>21 A Yes, it's pretty much analogous.</p> <p>22 Q Was there a Lawson Interface Desktop version</p> | <p>115</p> <p>1 A No, because it's exactly the same as the old</p> <p>2 version. All it is is a forward compatibility issue,</p> <p>3 but all of our products from this presentation layer,</p> <p>4 the coding constructs haven't changed to run a Telnet</p> <p>5 session. So it's exactly the same code in either 5.0</p> <p>6 or 9.0 from a presentation perspective.</p> <p>7 Q So -- okay. So what's different about</p> <p>8 Lawson Interface Desktop 9.0.1.4 and Lawson Interface</p> <p>9 Desktop 5.0?</p> <p>10 A They would have added the Windows component</p> <p>11 in at some time. But otherwise for UNIX, it's exactly</p> <p>12 the same.</p> <p>13 Q And is the Windows component in 9.0.1.4</p> <p>14 going to be used when you use your Windows 64-bit</p> <p>15 machine to access it today?</p> <p>16 A No, because that's an IBM system. That's</p> <p>17 not a Windows system.</p> <p>18 Q Why don't we access through the VPN the</p> <p>19 Lawson 5.0 system, and if you could just narrate for</p> <p>20 me --</p> <p>21 A Sure.</p> <p>22 Q -- step-by-step as you go through this, I</p> |
| <p>114</p> <p>1 5.0 that Lawson made available?</p> <p>2 A No, there's not one available.</p> <p>3 Q Was there one available at the time that</p> <p>4 Lawson Software 5.0 was available?</p> <p>5 A Yes, there would have been.</p> <p>6 Q So would it be possible for you -- for you</p> <p>7 to demonstrate for us today the Lawson procurement</p> <p>8 modules from Lawson's system 5.0 using a Lawson</p> <p>9 Interface Desktop from version 5.0?</p> <p>10 A No.</p> <p>11 Q Why is that?</p> <p>12 A Because the versions have long since been</p> <p>13 decommissioned and not used any longer and no one kept</p> <p>14 the source code.</p> <p>15 Q So that source code doesn't even exist</p> <p>16 anymore on the HP UNIX server?</p> <p>17 A Not that I know of.</p> <p>18 Q Or anywhere at Lawson?</p> <p>19 A That's from my understanding.</p> <p>20 Q Did you inquire into whether the older</p> <p>21 versions of the Lawson Interface Desktop still existed</p> <p>22 at Lawson for the purposes of this demonstration?</p>                                | <p>116</p> <p>1 would appreciate it.</p> <p>2 A There's an object that was put on my</p> <p>3 machine, the piece. I'm going to go into a green</p> <p>4 little phone --</p> <p>5 Q Let's just -- let me interrupt you.</p> <p>6 A Go ahead.</p> <p>7 Q That object on your screen, what is that</p> <p>8 that you just clicked on?</p> <p>9 A This piece right here?</p> <p>10 Q Yes.</p> <p>11 A This is the actual Telnet session software.</p> <p>12 Q Okay. So this is the Telnet emulator?</p> <p>13 A This is the Lawson interface. In this case,</p> <p>14 I'm using it in a Telnet environment. And when I</p> <p>15 click on the green piece to connect, it says I want to</p> <p>16 Telnet to a UNIX server versus an AS/400 versus an NT</p> <p>17 versus another version of UNIX. The AS/400 NT servers</p> <p>18 in this part we rarely ever used. We just used the</p> <p>19 Telnet connection into UNIX.</p> <p>20 And then it asks me which UNIX server it is.</p> <p>21 In my notes I have written down the specific server in</p> <p>22 this case is a prhtdc01. And that brings you into</p>       |

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| <p style="text-align: right;">117</p> <p>1 that computer into a log-in environment.</p> <p>2 So after passing Lawson security, so I'm</p> <p>3 going to go to Lawson and then Lawson -- do it one</p> <p>4 more time because I hyper-sended the key. So then it</p> <p>5 brings you into what they call an environment. I'm</p> <p>6 going to go into, in this case, an environment. I'm</p> <p>7 going to change the environment by doing a .CV change</p> <p>8 environment to 5.0 and press enter.</p> <p>9 Then you'll notice it comes up with a 50</p> <p>10 environment on this machine. Once I'm here, I'm going</p> <p>11 to go to the Lawson presentation layer, support, and</p> <p>12 then I can go into whatever module you want me to go</p> <p>13 into.</p> <p>14 So if I went into purchase order, I would</p> <p>15 say purchase order MN for our purchase order menu, and</p> <p>16 then it would bring me into the first set of menus.</p> <p>17 So I have signed on, I have gone into the</p> <p>18 purchasing system at this point in a Telnet session.</p> <p>19 And then if you want to make it larger, it doesn't</p> <p>20 really change the characters, it just fills out the</p> <p>21 form. So either way works with me in this</p> <p>22 presentation.</p> | <p style="text-align: right;">119</p> <p>1 A Again, that's a system administrator</p> <p>2 function which I do not have access to.</p> <p>3 Q Is that something that Bob Geiger would have</p> <p>4 access to?</p> <p>5 A Roger Shimada would have access to that.</p> <p>6 MR. STRAPP: I don't know if we requested</p> <p>7 that yet, but if we haven't, we ask for that</p> <p>8 information from counsel.</p> <p>9 Q So what were the modules available in Lawson</p> <p>10 5.0 that relate to procurement software?</p> <p>11 A So you have purchase order, requisitions,</p> <p>12 inventory and then accounts payable from a vendor</p> <p>13 perspective because we have a shared vendor file</p> <p>14 between our accounts payable system and the purchasing</p> <p>15 module.</p> <p>16 Q Let me ask you another question. If I went</p> <p>17 out and purchased HP UNIX server running the 11.11</p> <p>18 operating system and loaded on to it Lawson 5.0</p> <p>19 software, would I be able to recreate for myself the</p> <p>20 demonstration you're going to show us today?</p> <p>21 A If you follow all of our installation</p> <p>22 procedures and set up the software appropriately, it's</p>  |
| <p style="text-align: right;">118</p> <p>1 Q Okay. And what different modules do you</p> <p>2 have available today to demonstrate this?</p> <p>3 A I have every module that Lawson commercially</p> <p>4 distributed at that point, 5.0.</p> <p>5 Q 5.0.</p> <p>6 A So purchase order, requisitions, inventory,</p> <p>7 of course then the payables, general ledger and all</p> <p>8 the other systems that we sold at that time.</p> <p>9 Q Okay. You know, earlier we were looking at</p> <p>10 the screen shots from the e-mail that was sent to you.</p> <p>11 Do you recall that?</p> <p>12 A That's correct.</p> <p>13 Q Do you recall it had on the screen shots the</p> <p>14 creation date and source file date?</p> <p>15 A Right.</p> <p>16 Q For the requisitions module for 6.0 that</p> <p>17 you're going to demonstrate later on the IBM iSeries?</p> <p>18 A Uh-hmm.</p> <p>19 Q Is there a way to determine in this</p> <p>20 demonstration the creation date and source file date</p> <p>21 for the purchase order, requisition or inventory</p> <p>22 control module for Lawson 5.0?</p>   | <p style="text-align: right;">120</p> <p>1 no different than the machine I'm running on.</p> <p>2 Q All right. I think what I would like you to</p> <p>3 do here in this 5.0 system is to demonstrate for me</p> <p>4 how a user of the Lawson 5.0 system would search for</p> <p>5 particular matching items contained in the data</p> <p>6 available in the procurement software.</p> <p>7 A What kind of matching items are you looking</p> <p>8 for? Inventory items or lines received but not</p> <p>9 invoiced?</p> <p>10 Q I'm looking for non-stocks or non-inventory</p> <p>11 items that would be available. And let's say I was,</p> <p>12 for example, working in a purchasing department in a</p> <p>13 hospital back in the '90s running Lawson Software 5.0</p> <p>14 and I wanted to search in the procurement modules that</p> <p>15 you described for syringes. Can you show me how I</p> <p>16 would go about running a search for syringes in the</p> <p>17 procurement software for Lawson Software 5.0?</p> <p>18 A Do you want me to go about setting up the</p> <p>19 syringes search also, because I don't have that search</p> <p>20 specifically done, so you can see how a search would</p> <p>21 be put together?</p> <p>22 Q Yeah, go ahead and demonstrate it as best</p> |



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| <p style="text-align: right;">121</p> <p>1 you can.</p> <p>2 <b>A So I'm going to transfer over to an</b></p> <p>3 <b>inventory menu, first of all. So now I'm over in</b></p> <p>4 <b>inventory. And we're going to go set up some</b></p> <p>5 <b>inventory items.</b></p> <p>6 Q So let me stop you. You're in the inventory</p> <p>7 control module now?</p> <p>8 <b>A Now, yes, because I need to set up some</b></p> <p>9 <b>items for -- in the item master file.</b></p> <p>10 Q Well, let me ask you before you do that, do</p> <p>11 you already have items in this item master file?</p> <p>12 <b>A Yes, I do.</b></p> <p>13 Q What kind of items do you have in the item</p> <p>14 master file?</p> <p>15 <b>A Well, I have item 102 and 103, which are</b></p> <p>16 <b>good items. If you want me to change the name to</b></p> <p>17 <b>syringes, I can do that.</b></p> <p>18 Q So wait. There's two items available right</p> <p>19 now.</p> <p>20 <b>A There's multiples. I just made sure 102 and</b></p> <p>21 <b>103 were good items throughout the whole system.</b></p> <p>22 Q What kind of items are -- I mean, what kind</p> | <p style="text-align: right;">123</p> <p>1 <b>A I could look, but I don't know specifically.</b></p> <p>2 Q So let's say I want to run a search for</p> <p>3 syringes. I don't want you to go in and create</p> <p>4 syringes. I want to run a search for syringes. How</p> <p>5 would -- how would I do that in Lawson 5.0?</p> <p>6 <b>A I would go into inventory control 30, which</b></p> <p>7 <b>is an item search system, okay, and I would press</b></p> <p>8 <b>inquire. And I have a company out here, company 9.</b></p> <p>9 <b>And then it looks at what -- what access code -- if</b></p> <p>10 <b>you look next to it, you'll see description, generic</b></p> <p>11 <b>name, purchasing classes. I have set up item classes</b></p> <p>12 <b>in this to search on. So I would say "I" for item</b></p> <p>13 <b>classes.</b></p> <p>14 Q What's an item class?</p> <p>15 <b>A An item class is a way of classifying</b></p> <p>16 <b>inventory by major and minor classes that are user</b></p> <p>17 <b>defined. So in this case, I have set up some major</b></p> <p>18 <b>and minor classes to search on an item. Okay?</b></p> <p>19 <b>One of those -- you could have syringes as</b></p> <p>20 <b>an example, and I would have five items defined as</b></p> <p>21 <b>major category syringes and subcategories below that.</b></p> <p>22 <b>I could search on those right in the standard Lawson</b></p> |
| <p style="text-align: right;">122</p> <p>1 of goods are available right now in the item master?</p> <p>2 <b>A If I go into the item master file, I'm going</b></p> <p>3 <b>to what's called an item master file.</b></p> <p>4 Q Hold on one second.</p> <p>5 <b>A Go ahead.</b></p> <p>6 Q Let me just ask you, do you have an idea --</p> <p>7 before you -- before I go into the item master -- what</p> <p>8 kind of --</p> <p>9 <b>A They're widgets and test items.</b></p> <p>10 Q So it's not -- is it real data or is this --</p> <p>11 <b>A It's all fictitious support data.</b></p> <p>12 Q And some of this data you had testified</p> <p>13 earlier was created by you over the past week, right?</p> <p>14 <b>A That's correct.</b></p> <p>15 Q And other data was created earlier.</p> <p>16 <b>A Prior.</b></p> <p>17 Q And we can find out when the data was</p> <p>18 created by looking at the vendor master source data?</p> <p>19 <b>A It would show me when the vendor was</b></p> <p>20 <b>created, not when these items were created.</b></p> <p>21 Q Is there any way to determine when the items</p> <p>22 were created?</p> | <p style="text-align: right;">124</p> <p>1 <b>system.</b></p> <p>2 <b>And so if I went here, there's major and</b></p> <p>3 <b>minor classes, I can go out in this major and minor</b></p> <p>4 <b>class area here and then I could go in and type in</b></p> <p>5 <b>those major -- major and minor classes.</b></p> <p>6 Q So if you wanted to do a search here, you</p> <p>7 would type in syringe under major -- major/minor</p> <p>8 class?</p> <p>9 <b>A That's one way I could do it, yes.</b></p> <p>10 Q So let's see how it works if you do it that</p> <p>11 way.</p> <p>12 <b>A If I type in -- well, I have to have the</b></p> <p>13 <b>code set. If I put in syringe as much as I would</b></p> <p>14 <b>spell and press enter, I don't --</b></p> <p>15 Q How many characters can you enter in there?</p> <p>16 <b>A I'll tell you. There's four digits in the</b></p> <p>17 <b>major code and four in the minor code.</b></p> <p>18 Q Does it recognize -- does the major and</p> <p>19 minor class, is that just -- is that -- are those</p> <p>20 classes defined by numbers or are they also defined by</p> <p>21 words?</p> <p>22 <b>A Letters.</b></p>  |



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| <p style="text-align: right;">125</p> <p>1 Q By letters.</p> <p>2 A Uh-hmm.</p> <p>3 Q So long as they're four or less letters?</p> <p>4 A That's correct.</p> <p>5 Q Four or fewer letters?</p> <p>6 A That's correct.</p> <p>7 Q So you couldn't actually type in</p> <p>8 S-Y-R-I-N-G-E?</p> <p>9 A Well, if I use the beginning description</p> <p>10 one, then I can put a wild card and put in -- I don't</p> <p>11 know how to spell syringe, S-Y --</p> <p>12 Q Y.</p> <p>13 A I have no idea, I'm a terrible speller.</p> <p>14 Q S-Y-R-I-N-G-E. No R there.</p> <p>15 A So I could go in this way and put a wild</p> <p>16 card on either way, but I'm going to change the access</p> <p>17 code to be D for description and press enter.</p> <p>18 Q What happened there?</p> <p>19 A Well, I had a code -- two codes in there, so</p> <p>20 I'll press enter again. And it will start looking at</p> <p>21 anything that starts with syringe and starts looking</p> <p>22 down the system. In this case you don't have any</p>   | <p style="text-align: right;">127</p> <p>1 A So I would go out here and I would change</p> <p>2 the access code again to be an inventory class because</p> <p>3 that's the one I had set up. I'm going to take out</p> <p>4 the beginning description information and the</p> <p>5 information here about the beginning items and go out</p> <p>6 into the major and minor classes -- let's make sure I</p> <p>7 have them correct -- and I want to just transfer --</p> <p>8 get one that's valid so I can show you how it works.</p> <p>9 So in Lawson you can transfer here. I'm</p> <p>10 going to transfer in this case out into the -- back to</p> <p>11 the item master menu.</p> <p>12 Q What exactly are you doing here with this?</p> <p>13 A I'm going back to the major/minor, to the</p> <p>14 setup area. If I go to system setup and I look at</p> <p>15 inventory class maintenance and I'm going to do an</p> <p>16 inventory class maintenance on this group, I set up an</p> <p>17 inventory class of 101, and it has subclasses of one,</p> <p>18 two, and three. And I just called them widgets for</p> <p>19 today. So I see a description of widget item, that's</p> <p>20 the item class, that's the inventory class, and I have</p> <p>21 three subclasses, small, large and huge widgets. So</p> <p>22 I'll go back to my search -- my search criteria -- by</p> |
| <p style="text-align: right;">126</p> <p>1 syringes, so it just brings back the starting lists of</p> <p>2 the descriptions here.</p> <p>3 Q So you ran a search for syringe and it</p> <p>4 returned a diameter plumbing 2, correct?</p> <p>5 A Right, because it just starts going down the</p> <p>6 system looking for matches. Since there's none here,</p> <p>7 you just get an item master file.</p> <p>8 Q Were the classes, the major and minor</p> <p>9 classes that you referred to just a minute ago, are</p> <p>10 those -- is that part of the data that you set up last</p> <p>11 week?</p> <p>12 A Yes.</p> <p>13 Q And when you say it's a user define field,</p> <p>14 what do you mean by that?</p> <p>15 A Well, when I go in -- can I show you in the</p> <p>16 system now?</p> <p>17 Q Yes. Go ahead. Well, actually, before you</p> <p>18 do that. Sorry. You just showed me how to do a</p> <p>19 search using the beginning description.</p> <p>20 A Uh-hmm.</p> <p>21 Q Now try to -- can you show me how to do a</p> <p>22 search using the major/minor class?</p> | <p style="text-align: right;">128</p> <p>1 the way, you can type a code in and go to that</p> <p>2 program. So if I inquire on the access code inventory</p> <p>3 items, you notice the major class is here and then a</p> <p>4 subclass of one, now it brings up those particular two</p> <p>5 items I had defined as having the major class 101 and</p> <p>6 the minor class 1 in the search criteria function.</p> <p>7 Q You were going to show me what a user define</p> <p>8 field is. I'm going to ask you to do that now.</p> <p>9 A Yes, that would be fine.</p> <p>10 So if I go back out to the main menu here,</p> <p>11 you can just escape back out. Okay, I was on the</p> <p>12 inventory class maintenance. In the inventory class</p> <p>13 maintenance, I built one called 101. But you could</p> <p>14 add another one in called C-Y -- S-Y-N, syringe, and</p> <p>15 I'm going to take out all of these other fields</p> <p>16 because I don't -- you define the header record first.</p> <p>17 So here's the header record, I'm going to go</p> <p>18 in and add the header record here. I have the add</p> <p>19 function, we're going to call it syringe, add. So it</p> <p>20 says add complete. You can see it up there.</p> <p>21 And now I can go in and put in major and</p> <p>22 minor classes. I might have class 1 or I could call</p>                    |

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| <p style="text-align: right;">129</p> <p>1 this, you know, whatever you wanted to put here.</p> <p>2 Injection syringes. I might call them hypos. You</p> <p>3 could just -- they're all user defined. And when I</p> <p>4 add this piece in here, what I'm going to do -- go in</p> <p>5 and do is I'm going to make a change and add the other</p> <p>6 minor records in by placing an A in front of them.</p> <p>7 Because this is how our system navigates.</p> <p>8 So now at this point I've added in a user</p> <p>9 define, major class and then minor classes within the</p> <p>10 5.0 system of software. Now I would place those on</p> <p>11 the items that you want to search that have that</p> <p>12 criteria and then I could search by them.</p> <p>13 Q Are there any fields or information in here</p> <p>14 that's standard and that's not user defined?</p> <p>15 A Yes, there are.</p> <p>16 Q Which -- which ones are those?</p> <p>17 A Okay, if you went into the item master file,</p> <p>18 and if I inquired on my item 101, these are a series</p> <p>19 of, I give it a user define number, a description, and</p> <p>20 here's a good example of the data established. You</p> <p>21 asked that question earlier, so I'm coming back to it.</p> <p>22 It has the date established on the system, but you'll</p> | <p style="text-align: right;">131</p> <p>1 A The item is the item number, uh-hmm, that's</p> <p>2 correct.</p> <p>3 Q The description is a --</p> <p>4 A Description of the item. In this case it's</p> <p>5 a widget. But it could be a syringe. It could be</p> <p>6 whatever you want to call it.</p> <p>7 Q The date established here of 6-7-10, does</p> <p>8 that indicate that it was -- this item was established</p> <p>9 June 7th, 2010?</p> <p>10 A That's correct.</p> <p>11 Q What's the generic name?</p> <p>12 A It's a search criteria, so if I want to look</p> <p>13 for a search of generic names syringe or Band-aid or</p> <p>14 tissue, I can have five items. And another way to</p> <p>15 search on it is to look for a generic name for</p> <p>16 something.</p> <p>17 Q And what's the replacement item?</p> <p>18 A A replacement item in order entry, if I</p> <p>19 stock out of this specific item, it will bring this</p> <p>20 replacement item up in an order for order entry.</p> <p>21 Q So that works for -- so a replacement item</p> <p>22 is a field that would be -- contain data for an item</p> |
| <p style="text-align: right;">130</p> <p>1 see a generic name field, a UPC name field. These are</p> <p>2 defined fields that you could put in the UPC codes.</p> <p>3 So if I had a UPC code of 13 digits, whatever the</p> <p>4 length is, you could put that in and use it as a</p> <p>5 standard mechanism.</p> <p>6 We have item replacements used in order</p> <p>7 entry, a hazardous code. And you put those -- that</p> <p>8 data in there for purposes that you might want to</p> <p>9 work. And then you'll see here the major and minor</p> <p>10 for sales, inventory and purchasing classes within the</p> <p>11 system.</p> <p>12 Q Is this a -- is this a standard item master</p> <p>13 -- are these the standard data fields available for</p> <p>14 each item in the item master?</p> <p>15 A Yes, they are.</p> <p>16 Q And so let me just walk through them so I</p> <p>17 understand each one of them. What is the item group?</p> <p>18 A An item group is a way of putting a group of</p> <p>19 items together as a group and then that group's</p> <p>20 attached to the legal entities that can use those</p> <p>21 items for processing.</p> <p>22 Q The item is the item number?</p>   | <p style="text-align: right;">132</p> <p>1 in inventory only enough for a non-stock item,</p> <p>2 correct?</p> <p>3 A Those are usually for stocked items.</p> <p>4 Q That's what I meant.</p> <p>5 A Yes.</p> <p>6 Q For a stock item, not a non-stock item.</p> <p>7 A Yes, it would be a stock replacement used</p> <p>8 specifically in order entry.</p> <p>9 Q What's the -- can you tell me what the</p> <p>10 purpose of the order entry module is? What does that</p> <p>11 do?</p> <p>12 A We -- Lawson has sold since 1982 an order</p> <p>13 entry module that is a wholesale order entry so I</p> <p>14 could go out to a particular wholesaler, install a</p> <p>15 system and they could place orders, pick inventory,</p> <p>16 pack it, ship it and bill it for that particular</p> <p>17 wholesaler.</p> <p>18 Q Do you have the ability here to show me a</p> <p>19 list of everything that's in the item master?</p> <p>20 A Not on this particular program. Let me</p> <p>21 look. Let's make sure I have it. If I go up to here,</p> <p>22 it has a select option and it will show you all of the</p>               |

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| <p style="text-align: right;">133</p> <p>1 items in the system.</p> <p>2 Q And -- and right there is a list of all the</p> <p>3 items in the system?</p> <p>4 A That is correct.</p> <p>5 Q So can you scroll down so we can see sort of</p> <p>6 all the items here?</p> <p>7 A These are my items I said they were kind of</p> <p>8 generic, and there they are. And what you see here on</p> <p>9 the right-hand side is the item number, on the</p> <p>10 left-hand side is the description.</p> <p>11 Q Do you mean on our left-hand side is the</p> <p>12 item number and on the right-hand side is the --</p> <p>13 A Yes, I'm sorry. The other left. This is</p> <p>14 the item number, I'll point. This is the --</p> <p>15 Q Item description.</p> <p>16 A Item description, that's correct.</p> <p>17 Q Do you know how much of this data was</p> <p>18 entered by you within the last week and how much --</p> <p>19 how many of the items are from earlier?</p> <p>20 A I entered two.</p> <p>21 Q Two.</p> <p>22 A 101 and 102.</p>  | <p style="text-align: right;">135</p> <p>1 A Sure, all of these sales classes right here,</p> <p>2 remember I showed you the search with the sales class,</p> <p>3 inventory class, purchasing class.</p> <p>4 Q But there is no sales class or inventory</p> <p>5 class or purchasing class information in here, right?</p> <p>6 A There's -- they didn't define any for this</p> <p>7 one, but it's there available to be used.</p> <p>8 Q Was there -- all right. Let's take a look</p> <p>9 at another item that was not one you created in the</p> <p>10 item master.</p> <p>11 A Is it fair that I'm going to go in and just</p> <p>12 scroll the database so you can look at items -- I'm</p> <p>13 going to use the next function and I can scroll things</p> <p>14 in for you and you can just stop me when you're ready.</p> <p>15 Q Sure. All right. Let's look at -- let's</p> <p>16 look at this one here.</p> <p>17 A Uh-hmm.</p> <p>18 Q So this one has the same item number -- the</p> <p>19 description is the same as the item number, but then</p> <p>20 it says test IC14. Does that stand for inventory</p> <p>21 control?</p> <p>22 A Yes.</p> |
| <p style="text-align: right;">134</p> <p>1 Q So let's take a look at another one and pull</p> <p>2 -- if you could pull another one so we can see the D,</p> <p>3 data.</p> <p>4 A You bring it up and then you inquire on it.</p> <p>5 Q Okay. And so this was established -- so</p> <p>6 this doesn't have a -- the description for this item</p> <p>7 is the same as the item number, correct?</p> <p>8 A That is correct.</p> <p>9 Q So there would be no way for this particular</p> <p>10 item to actually run a search using a word, right?</p> <p>11 A Well, you could still use that same number,</p> <p>12 that description.</p> <p>13 Q Right.</p> <p>14 A You could still use that for the search.</p> <p>15 Q You could search using the item code number,</p> <p>16 correct?</p> <p>17 A Uh-hmm, and the description.</p> <p>18 Q Well, you could search using the item code</p> <p>19 number and the description field, right?</p> <p>20 A That's true, yes.</p> <p>21 Q Would there be any way to search for this</p> <p>22 item other than using one, two, three, four, five?</p> | <p style="text-align: right;">136</p> <p>1 Q So this is like a test item?</p> <p>2 A This is an item -- remember I'm in the</p> <p>3 support library and somebody wanted to test something</p> <p>4 and use the IC14 program, so they just typed that in</p> <p>5 as a reminder to them.</p> <p>6 Q Let's go to the next one. This one was</p> <p>7 established as of August 10th, 1994?</p> <p>8 A That's correct.</p> <p>9 Q Okay. Is there any vendor associated with</p> <p>10 this particular item?</p> <p>11 A Not at this point, but let's go in and look</p> <p>12 at something because I can go in and look at a</p> <p>13 transfer function here.</p> <p>14 Q Well, before you do that, let me just ask.</p> <p>15 A Go ahead.</p> <p>16 Q So all the different fields associated with</p> <p>17 an item in the item master, none of those fields -- do</p> <p>18 any of those fields tell you who the vendor is that's</p> <p>19 associated with the number?</p> <p>20 A Yes, and there's more screens to this. I'm</p> <p>21 only showing you the first one at this point.</p> <p>22 Q All right, let's do those.</p>                                     |

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| <p style="text-align: right;">137</p> <p>1       <b>A</b>   So I'm going to do a transfer. And then I</p> <p>2       can say here item location maintenance, because now</p> <p>3       I'm going to put an item in a location, and now I'm</p> <p>4       going to go in here and inquire. I'm going to go get</p> <p>5       a location that I have set up in the system.</p> <p>6       So I'm going to select warehouse 1 and then</p> <p>7       my item 101 is an item I had earlier I showed you.</p> <p>8       And now it's getting in where I have a location where</p> <p>9       I've stored inventory, and this is where we -- we put</p> <p>10      in by location the specific vendor that you might want</p> <p>11      to use.</p> <p>12      So I'm going to show you another form here.</p> <p>13      There's an item location maintenance area. And you're</p> <p>14      going to now look at, I don't have one set up for it</p> <p>15      in this one, but you can see right here a primary</p> <p>16      vendor field where I can select vendors. And I am</p> <p>17      vendor 2 today, I put myself in. And now I can make</p> <p>18      this specific location, warehouse 1, this particular</p> <p>19      item, widget, now has a preferred vendor, a primary</p> <p>20      vendor, that if it stocks out in inventory, here's</p> <p>21      where -- here's where we're going to select that</p> <p>22      particular vendor as our default vendor.</p> | <p style="text-align: right;">139</p> <p>1       interface to load those in from an interface</p> <p>2       electronically of uploading. Let's go back a moment</p> <p>3       here.</p> <p>4       I don't know, I haven't set this up, but I</p> <p>5       can go in here and put in the vendor number -- let's</p> <p>6       just see what they might have set up in the system.</p> <p>7       So they don't have anything set up as a primary vendor</p> <p>8       for anyone.</p> <p>9       This would allow me to go and set up -- this</p> <p>10      is this PO14, it's vendor item location ordering. So</p> <p>11      I can build that record here to put in a vendor,</p> <p>12      number 7. This is the one I had set up, vendor 2, or</p> <p>13      whatever one you want to use, a purchase from</p> <p>14      location, and then I can go and put a date, a cost and</p> <p>15      a new cost in and start saying here's that vendor,</p> <p>16      here's their items and here's what they -- their costs</p> <p>17      that we save in our system.</p> <p>18      Q   Okay. How would I do a search to find all</p> <p>19      items only from a -- from the Jeff Hvass vendor?</p> <p>20      <b>A</b>   Then I would go back to where I was in the</p> <p>21      transfer function and I would go to vendor item</p> <p>22      location list, and I can get -- this is the inquiry</p>             |
| <p style="text-align: right;">138</p> <p>1       Q   Let's go back to the inventory control</p> <p>2       screen that we were -- the screen that you were on</p> <p>3       when you were showing me how to do a search.</p> <p>4       <b>A</b>   The search function, sure.</p> <p>5       Q   Is that IC30?</p> <p>6       <b>A</b>   That is correct.</p> <p>7       Q   Is there a way to search for vendor?</p> <p>8       <b>A</b>   This is an inventoried item. Over in</p> <p>9       procurement I have default, I have preferred vendors</p> <p>10      that have items that we have prices on by that</p> <p>11      particular vendor.</p> <p>12      Q   Is there a way to search to see every item</p> <p>13      associated with a preferred vendor?</p> <p>14      <b>A</b>   Yes.</p> <p>15      Q   Okay. How do you do that?</p> <p>16      <b>A</b>   I'm going to go in this case into purchase</p> <p>17      order, main menu, and we're going to go in and look</p> <p>18      at, it might be in systems setup, catalog, prices.</p> <p>19      This might just be the update, but let's look, yeah.</p> <p>20      This is where I can go set up a vendor and put them in</p> <p>21      the system. This is just prices. There's another</p> <p>22      program that goes in and -- this is the batch file</p>  | <p style="text-align: right;">140</p> <p>1       function. Hold on. Vendors for an item inquiry. So</p> <p>2       this one here -- I can actually go in and look at a</p> <p>3       specific location and item and look at all the vendors</p> <p>4       that perform that. And there's another one, PO vendor</p> <p>5       purchasing from location items, and then PO item</p> <p>6       location ordering information. And here I can see the</p> <p>7       items that a vendor provides to us one at a time, or</p> <p>8       there's another one that shows you multiple at a time.</p> <p>9       Q   So can you go -- can you -- can you go back</p> <p>10      and show me how you would actually enter that search,</p> <p>11      run that search?</p> <p>12      <b>A</b>   Yes, let's go add one here. Add item vendor</p> <p>13      to, we should be fine, purchase from. Order in</p> <p>14      multiples we're not going to use, so -- item 2, that</p> <p>15      should be good. So I'll put in some dates here. Cost</p> <p>16      is \$3. Let's go from total 32009. \$4.</p> <p>17      Q   So what are you doing right now?</p> <p>18      <b>A</b>   I'm trying to add the item in and I --</p> <p>19      Q   Into what?</p> <p>20      <b>A</b>   Into the item location setup.</p> <p>21      Q   So you need to do that before you can run</p> <p>22      the search you were talking about?</p> |

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| <p style="text-align: right;">141</p> <p>1       <b>A</b>   Right, to look at them to set them up to say</p> <p>2       this item, this is provided by this vendor in this</p> <p>3       location, and I didn't set that up for today. Let's</p> <p>4       just go here for a moment. Yeah, here it is. See,</p> <p>5       then it's their -- I have my M number form. They call</p> <p>6       it -- I'll call this 101VEN2. It's their number.</p> <p>7       Q   I wanted to see all items from vendor 2, not</p> <p>8       just a particular item.</p> <p>9       <b>A</b>   I have to set them up, first of all. First</p> <p>10      of all, it's that authorization you have. So I'm</p> <p>11      going to set up two in there. So first I define these</p> <p>12      two items. Now I have a vendor for an item and</p> <p>13      they're set up in what they call a vendor item</p> <p>14      maintenance because now I have my number and their</p> <p>15      number for it. And then I go in and I actually go in</p> <p>16      and say here's -- for the item location itself --</p> <p>17      let's go back for a moment because I want to use the</p> <p>18      other one here for a moment.</p> <p>19      Now I can go in and look at the -- and put</p> <p>20      an item in with specific location, item 101, vendor 2,</p> <p>21      location 1. I don't buy in multiples, so this should</p> <p>22      be valid.</p> | <p style="text-align: right;">143</p> <p>1       vendors here. I can say look at the item numbers</p> <p>2       itself and show me the items, the vendor item and the</p> <p>3       unit of measures, and you can now see that here's the</p> <p>4       102 and 101. Here's these items and how the unit of</p> <p>5       measures are and the supplying vendors.</p> <p>6       Q   So this search is showing me everyone --</p> <p>7       every item in the system that has a preferred vendor</p> <p>8       of Jeff Hvass?</p> <p>9       <b>A</b>   That is correct.</p> <p>10      Q   But it's also showing me items that have</p> <p>11      other preferred vendors, too, right?</p> <p>12      <b>A</b>   That is correct. Because it's -- it's a</p> <p>13      vendor item inquiry. I -- I come in as a user and I</p> <p>14      -- I know the item number. I have no idea who the</p> <p>15      vendors are. So it says beginning item number. And</p> <p>16      so you can type in as much of the number as you know</p> <p>17      Then it will show you for 101, you can see the items</p> <p>18      101, 102, everything going down, and it will show you</p> <p>19      the item, their numbers, their eaches and their vendor</p> <p>20      numbers.</p> <p>21      I can say, okay, here's where -- here's</p> <p>22      where we source these items from by relating the item</p> |
| <p style="text-align: right;">142</p> <p>1       Let's see, they cost \$20, 043091. Then we</p> <p>2       call it, let's see, it's \$30. And we're going to add</p> <p>3       this one in. That's it for this one. Let's see if we</p> <p>4       can put a purchase from vendor in. I also have to say</p> <p>5       what it's valid to purchase from. Okay, there's one.</p> <p>6       And let's go put a second one in now. 102, from</p> <p>7       myself, let's say it's a valid date, we'll give them</p> <p>8       some new numbers.</p> <p>9       Now you can go in, I built the items for a</p> <p>10      vendor in a location and now I want to go back and</p> <p>11      look at this information. Here's -- here's the</p> <p>12      earlier one I showed you where they go in and I say</p> <p>13      here's -- here's their equivalencies. And let's go in</p> <p>14      and look at the Ps here -- let's see. This is</p> <p>15      standard --</p> <p>16      Q   Is this the vendor item inquiry program?</p> <p>17      <b>A</b>   No.</p> <p>18      Q   That's something different?</p> <p>19      <b>A</b>   That is different.</p> <p>20      Let me see if I can get this one to show up.</p> <p>21      Okay.</p> <p>22      So I can go in and look at the supplying</p>   | <p style="text-align: right;">144</p> <p>1       number to the vendor and their prices.</p> <p>2       Q   All right. Before we break for lunch, I</p> <p>3       just want to ask you to do one more thing here.</p> <p>4       <b>A</b>   Uh-hmm.</p> <p>5       Q   Can you go back to the items search screen,</p> <p>6       the IC30, I think it was?</p> <p>7       <b>A</b>   Uh-hmm.</p> <p>8       Q   And let's do a search by either item number</p> <p>9       or description.</p> <p>10      <b>A</b>   Okay. So I can go by the description.</p> <p>11      Q   Description or -- yeah.</p> <p>12      <b>A</b>   And you can use widgets here. So remember</p> <p>13      those two had DC within it? Remember I had widget DC1</p> <p>14      and DC2?</p> <p>15      Q   Didn't you also have cable, I think you had</p> <p>16      cable in one of them?</p> <p>17      <b>A</b>   Uh-hmm, do you want to use cable?</p> <p>18      Q   Yes, let's use cable.</p> <p>19      <b>A</b>   I don't see cable in there, but then that's</p> <p>20      okay.</p> <p>21      Q   So how do you tell if it's a search hit or</p> <p>22      it's just the first thing that comes up?</p>   |



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| <p style="text-align: right;">145</p> <p>1 <b>A I -- I just know because if -- if it's a</b><br/> 2 <b>hit, I'll see the number up here, but I don't -- I</b><br/> 3 <b>don't see that anywhere in here.</b><br/> 4 Q So if you're searching for like something<br/> 5 that matches with a particular description, and<br/> 6 there's a bunch of things that come up, how do you<br/> 7 know whether it's a hit, it's a result that actually<br/> 8 matches for what you were searching for or not? Do<br/> 9 you have to manually scan through it to see whether or<br/> 10 not it has your search term? Is that right?<br/> 11 <b>A I believe so, yes, uh-hmm.</b><br/> 12 Q All right. Let's search for something else<br/> 13 --<br/> 14 <b>A I'll do this right, because there's a</b><br/> 15 <b>beginning item number here which is defaulting into</b><br/> 16 <b>hood, so let's take that out and put in DC. I'm going</b><br/> 17 <b>to clear the whole form for a moment.</b><br/> 18 Q So why don't we -- why don't we do a search,<br/> 19 instead of for cable, let's do a search for widget<br/> 20 since we know you already put that in there. All<br/> 21 right.<br/> 22 <b>A So that's what it's doing. I'm at</b></p> | <p style="text-align: right;">147</p> <p>1 Q But you don't need to buy from that vendor?<br/> 2 <b>A No.</b><br/> 3 MR. STRAPP: Let's take a break.<br/> 4 THE VIDEOGRAPHER: Going off the record.<br/> 5 The time is 1:31 p.m.<br/> 6 (Lunch recess.)<br/> 7 THE VIDEOGRAPHER: Back on the record. The<br/> 8 time is 2:33 p.m.<br/> 9 BY MR. STRAPP:<br/> 10 Q Mr. Hvass, can you click on the help menu<br/> 11 within the Lawson version 5.0 software we're looking<br/> 12 at right now?<br/> 13 <b>A Uh-hmm.</b><br/> 14 Q Can you click on about Lawson Interface<br/> 15 Desktop?<br/> 16 <b>A (Indicating).</b><br/> 17 Q Does that show you that we're using Lawson<br/> 18 Interface Desktop version 9.0.1.4?<br/> 19 <b>A Right above it, it shows you the version</b><br/> 20 <b>right there where my pointer is.</b><br/> 21 Q Okay. So that's 9.0.1.4?<br/> 22 <b>A Yes.</b></p>  |
| <p style="text-align: right;">146</p> <p>1 <b>description piece here. If it needs wild cards or not</b><br/> 2 <b>wild cards, and it doesn't use wild cards.</b><br/> 3 Q Okay. Now, if you use wide cards, does that<br/> 4 mean it will show everything in the whole item master<br/> 5 list?<br/> 6 <b>A It will show the whole string of items that</b><br/> 7 <b>should match that.</b><br/> 8 Q Plus anything else?<br/> 9 <b>A It just keeps on showing everything else at</b><br/> 10 <b>that point.</b><br/> 11 Q Okay. Now, let's say I wanted to build a<br/> 12 requisition using data that's resulted from this<br/> 13 search here, how would I go about doing that?<br/> 14 <b>A You can't.</b><br/> 15 Q You cannot?<br/> 16 <b>A No, this is strictly an item search function</b><br/> 17 <b>in inventory.</b><br/> 18 Q One last question before we break for lunch.<br/> 19 What does a preferred vendor mean?<br/> 20 <b>A A preferred vendor? In the parlance of the</b><br/> 21 <b>industry, it's a vendor that you generally like to buy</b><br/> 22 <b>from.</b></p>  | <p style="text-align: right;">148</p> <p>1 Q And does this information indicate that that<br/> 2 version of Lawson Interface Desktop was released April<br/> 3 10, 2009?<br/> 4 <b>A It shows the copyright from '92 to 2009.</b><br/> 5 Q Right. What about underneath that?<br/> 6 <b>A And then it says April 10, 2009, and that's</b><br/> 7 <b>the date on this -- on this specific issue.</b><br/> 8 Q What is the April 10th, 2009 date?<br/> 9 <b>A Probably the last time -- I'm assuming it</b><br/> 10 <b>was the last time it was updated.</b><br/> 11 Q All right. Can you go back to the help menu<br/> 12 for a minute?<br/> 13 Is there any other option that we can search<br/> 14 either in this help topics or somewhere else that<br/> 15 would tell us about the version of the emulator<br/> 16 software we're using here, the Telnet software?<br/> 17 <b>A That's the emulator files. That just brings</b><br/> 18 <b>up that piece. I'm just going to see if I find</b><br/> 19 <b>anything that makes sense for us here. So this is the</b><br/> 20 <b>associated help text behind it.</b><br/> 21 Q Okay. I guess this is -- this is<br/> 22 information about the Lawson Interface Desktop. Is</p> |

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| <p style="text-align: right;">149</p> <p>1 there any information available to determine the</p> <p>2 version of the Telnet or the release date of the</p> <p>3 Telnet emulator we're using here?</p> <p>4 <b>A Not that I know of.</b></p> <p>5 Q Okay.</p> <p>6 <b>A In this piece right here, hold on a second,</b></p> <p>7 <b>I'll have to turn it off to go look at the Telnet</b></p> <p>8 <b>start-up.</b></p> <p>9 Q Well, when we log out of 5.0, we can check</p> <p>10 it?</p> <p>11 <b>A Yeah, we should be able to look at that</b></p> <p>12 <b>piece then.</b></p> <p>13 Q Why don't we do that now.</p> <p>14 <b>A So I'm going to log out. And then we're</b></p> <p>15 <b>going to go back and log in. So there's the Telnet TX</b></p> <p>16 <b>connection piece. I don't know it's going tell you</b></p> <p>17 <b>anything. It just tells you what I'm trying to go to.</b></p> <p>18 <b>And from there it just brings up the</b></p> <p>19 <b>log-in/sign-in. It's emulating right over the top of</b></p> <p>20 <b>the other one. So I'll have to bring it down. So let</b></p> <p>21 <b>me just do this for a second.</b></p> <p>22 <b>Telnet connection to UNIX server. This</b></p>  | <p style="text-align: right;">151</p> <p>1 brought with you?</p> <p>2 <b>A We had a portable server and we had a</b></p> <p>3 <b>standalone server that was outside of the firewall.</b></p> <p>4 <b>We just typed in the IP address and went right into</b></p> <p>5 <b>it. The Telnet session did all the communication.</b></p> <p>6 <b>The only reason that we had VPN today is to connect</b></p> <p>7 <b>through our firewall. The user interface is</b></p> <p>8 <b>identical.</b></p> <p>9 Q When was the firewall set up?</p> <p>10 <b>A Probably somewhere in the mid '90s.</b></p> <p>11 Q Do you know whether this version of the</p> <p>12 Telnet emulator that we're using today would run on a</p> <p>13 Windows 3.1 computer?</p> <p>14 <b>A I don't know if we have compatibility issues</b></p> <p>15 <b>or not. I don't know.</b></p> <p>16 Q Let's close out of 5.0.</p> <p>17 <b>A Uh-hmm.</b></p> <p>18 Q And I want to ask you to open up the 6.0</p> <p>19 demonstration. And -- well, actually, before we do</p> <p>20 that --</p> <p>21 <b>A Oh.</b></p> <p>22 Q Sorry.</p>   |
| <p style="text-align: right;">150</p> <p>1 tells you the UX, its system. That's where that 11.11</p> <p>2 comes from. Then it tells you from here, this is a</p> <p>3 quote from that piece.</p> <p>4 <b>Yeah, that's all I can tell you about this</b></p> <p>5 <b>emulator piece right here except on the help piece</b></p> <p>6 <b>right here. That just tells you the version, the</b></p> <p>7 <b>copyright dates and then the version of the software</b></p> <p>8 <b>when it was put together.</b></p> <p>9 Q Today we're using a VPN to connect to this</p> <p>10 emulator software --</p> <p>11 <b>A Yes.</b></p> <p>12 Q -- right? That's running the Lawson Legacy</p> <p>13 systems on the servers we discussed.</p> <p>14 What kind of communications service or</p> <p>15 software did you use when you wanted to connect to the</p> <p>16 Lawson systems when you were demonstrating those</p> <p>17 systems for a customer remotely back in the 1990s?</p> <p>18 <b>A In the 1990s we had a system that was</b></p> <p>19 <b>outside of a firewall. We could directly connect to</b></p> <p>20 <b>it. And we didn't use a tunnel of any kind. We also</b></p> <p>21 <b>carried our own servers with us.</b></p> <p>22 Q So you had a portable server that you</p> | <p style="text-align: right;">152</p> <p>1 <b>A Go ahead.</b></p> <p>2 Q You had -- you had shown me before on this</p> <p>3 Hvass Exhibit 2 that there were 5.0 applications</p> <p>4 running on UNIX Universe 2.0 and the cyclical and</p> <p>5 support versions of 5.0 applications running on UNIX</p> <p>6 Universe 2.1.</p> <p>7 Is there a way to differentiate between the</p> <p>8 two of those when we're looking at the demonstration?</p> <p>9 How can I tell which one is running on UNIX Universe</p> <p>10 2.0 and which one is running on UNIX Universe 2.1?</p> <p>11 <b>A You can't tell.</b></p> <p>12 Q You can't tell.</p> <p>13 <b>A No, they're identical.</b></p> <p>14 Q So when you were doing the demonstration</p> <p>15 earlier today, how would you determine whether or not</p> <p>16 -- or how would you determine whether or not this was</p> <p>17 UNIX Universe 2.0 or UNIX Universe 2.1?</p> <p>18 <b>A By what environment number I typed in.</b></p> <p>19 Q And -- all right. What -- I might have</p> <p>20 missed this, but what environment number did you type</p> <p>21 it when you logged into 5.0?</p> <p>22 <b>A To 5.0. There's two environments.</b></p> |

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| <p style="text-align: right;">153</p> <p>1 Q Oh, 5.0 is the one that's running on 2.1?</p> <p>2 A <b>There's two 5.0's environments; one on the</b></p> <p>3 <b>2.0 universe and there's another one on the 2.1</b></p> <p>4 <b>universe. And I went into the product line support in</b></p> <p>5 <b>that cyclical or in that version.</b></p> <p>6 Q Okay. So the version that you demonstrated</p> <p>7 was the version of the Lawson Software 5.0 running on</p> <p>8 UNIX Universe 2.1 from 5.0, correct?</p> <p>9 A <b>That is correct.</b></p> <p>10 Q Why did you demonstrate that one as opposed</p> <p>11 to the 5.0 application running on UNIX Universe 2.0</p> <p>12 from 1993?</p> <p>13 A <b>Better data.</b></p> <p>14 MR. STRAPP: Go off the record for one</p> <p>15 minute, please.</p> <p>16 THE VIDEOGRAPHER: Going off the record.</p> <p>17 The time is 2:41 p.m.</p> <p>18 (A brief recess was taken.)</p> <p>19 THE VIDEOGRAPHER: Back on the record. The</p> <p>20 time is 2:44 p.m.</p> <p>21 BY MR. STRAPP:</p> <p>22 Q Do you know whether -- who the developer of</p>  | <p style="text-align: right;">155</p> <p>1 a search like you had done in the other version of 5.0</p> <p>2 that we saw earlier today.</p> <p>3 A <b>Okay, so let's do development on that one.</b></p> <p>4 <b>I don't understand why that's not operating.</b></p> <p>5 <b>COBOL delivery, unless he spelled it wrong. That's</b></p> <p>6 <b>okay, the menu's not running. Here's the same -- I've</b></p> <p>7 <b>got -- I'm going to go because I don't know the</b></p> <p>8 <b>company data for this one.</b></p> <p>9 Q Yeah.</p> <p>10 A <b>So I'm going to go look up the company</b></p> <p>11 <b>information here. See, I don't have operating</b></p> <p>12 <b>company, that's why I didn't pick this data. See,</b></p> <p>13 <b>there's -- there's no -- literally no inventory</b></p> <p>14 <b>company in the system.</b></p> <p>15 Q Is there no item -- are there no items in</p> <p>16 the item master here?</p> <p>17 A <b>I can check that out. Hold on. Yeah,</b></p> <p>18 <b>there's nothing set up for data in the system. That's</b></p> <p>19 <b>why I elected not to use it.</b></p> <p>20 Q Why don't we just create one fictitious item</p> <p>21 here and then we'll run a search to run that item.</p> <p>22 A <b>I have to do three items before that before</b></p> |
| <p style="text-align: right;">154</p> <p>1 UNIX Universe is?</p> <p>2 A <b>It was really -- well, Richard Lawson would</b></p> <p>3 <b>be one of the main founders of the thinking side of</b></p> <p>4 <b>it. It's probably, from my understanding, Richard</b></p> <p>5 <b>Patton would be another gentleman at Lawson that</b></p> <p>6 <b>worked with Richard in that area.</b></p> <p>7 Q So this is a Lawson product, UNIX Universe?</p> <p>8 A <b>Universe is a Lawson product, yes.</b></p> <p>9 Q Is -- is it spelled U-N-I capital V-E-R-S-E</p> <p>10 -- V-E-R-S-E?</p> <p>11 A <b>I've never seen it typed that way.</b></p> <p>12 Q Okay. Can you demonstrate for us the Lawson</p> <p>13 5.0 software running on UNIX Universe 2.0 from 1993?</p> <p>14 A <b>Yes. You'll notice I'm putting a version</b></p> <p>15 <b>number, that's the CV20. Now we go to LAPM. And this</b></p> <p>16 <b>one is called COBOL development, cobdeliv.</b></p> <p>17 <b>Where would you like, the purchasing side?</b></p> <p>18 Q Earlier did you use cyclical or support?</p> <p>19 A <b>Yes, I used support.</b></p> <p>20 Q Support.</p> <p>21 A <b>This is COBOL delivery.</b></p> <p>22 Q Okay. So I'm going to want to ask you to do</p> | <p style="text-align: right;">156</p> <p>1 <b>I can do it. Okay, I have to build a company, a group</b></p> <p>2 <b>and then add an item.</b></p> <p>3 Q Well, let me ask you this. The</p> <p>4 demonstration system that you have available to show</p> <p>5 us today at this deposition for the 5.0 software</p> <p>6 running on UNIX Universe 2.0 contains no data at all</p> <p>7 in the item master as it exists, right?</p> <p>8 A <b>That is correct.</b></p> <p>9 Q So you can't do any searches on the item</p> <p>10 master, correct?</p> <p>11 A <b>That is correct.</b></p> <p>12 Q And you can't build any requisitions on that</p> <p>13 data either, correct?</p> <p>14 A <b>That is correct.</b></p> <p>15 Q Okay, that's fine. So let's log out of this</p> <p>16 system and go into 6.0.</p> <p>17 A <b>That's in -- in UNIX version you want?</b></p> <p>18 Q Yes, let's start off with the 6.0 Lawson</p> <p>19 Software on UNIX Universe 2.1 from 1995 running on the</p> <p>20 HP UNIX server.</p> <p>21 A <b>Okay, I'm logged in.</b></p> <p>22 Q All right. Can you show me what's in the</p>  |

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| <p style="text-align: right;">157</p> <p>1 item master, all the items in the item master here?</p> <p>2 <b>A I have multiple ones here.</b></p> <p>3 Q Can you show me that list that shows just</p> <p>4 the item and number and description?</p> <p>5 <b>A (Indicating).</b></p> <p>6 Q All right. Why don't we start off by doing</p> <p>7 a search for soda pop.</p> <p>8 <b>A So there's the first one. Then you can do</b></p> <p>9 <b>next through them, next, next, next, next, next.</b></p> <p>10 Q Can you -- are there any differences in the</p> <p>11 search functionality of 6.0 as compared to 5.0?</p> <p>12 <b>A Yes.</b></p> <p>13 Q All right. Can you show me how that is?</p> <p>14 <b>A I'm going to escape back out, escape one</b></p> <p>15 <b>more time. I'm on the item master now.</b></p> <p>16 Q Okay.</p> <p>17 <b>A Now, like you notice here, instead of going</b></p> <p>18 <b>directly to the items, it says you want an item, a</b></p> <p>19 <b>kit. And a kit is a major item number and subitems</b></p> <p>20 <b>together and then substitute items because, remember,</b></p> <p>21 <b>I had substitute items on the item master files? So</b></p> <p>22 <b>this one lets you look at the specific item. And now</b></p>  | <p style="text-align: right;">159</p> <p>1 <b>A That is correct. It has one more field now.</b></p> <p>2 <b>Now you'll see the item -- the first user defined item</b></p> <p>3 <b>has now been added to the list of things you can</b></p> <p>4 <b>search on. That's what this item alpha 1 is. That's</b></p> <p>5 <b>a new field in the system to do that.</b></p> <p>6 Q All right. So there's one -- there's one</p> <p>7 additional field that you can use to search under IC30</p> <p>8 in 6.0, but otherwise it's the same as IC30 in 5.0?</p> <p>9 <b>A That's correct.</b></p> <p>10 Q Can we go back to the search you just showed</p> <p>11 me, the new search functionality in 6.0 that you were</p> <p>12 displaying early?</p> <p>13 <b>A In the item master.</b></p> <p>14 Q Right. And we did a search by description</p> <p>15 for soda, right?</p> <p>16 <b>A That is correct.</b></p> <p>17 Q Can you run that search again?</p> <p>18 <b>A Uh-hmm. I'll get to the item group number,</b></p> <p>19 <b>so hold on a second. Now the search comes up. And</b></p> <p>20 <b>you want to do --</b></p> <p>21 Q Now, if we do a search for soda.</p> <p>22 <b>A Okay.</b></p>  |
| <p style="text-align: right;">158</p> <p>1 <b>you're going to see a find and next button.</b></p> <p>2 <b>So you do a find, and you can use the item</b></p> <p>3 <b>number or the description. And you asked for soda</b></p> <p>4 <b>pop. So I can just type in soda. And you enter. And</b></p> <p>5 <b>it finds the first one. Then there's a next button</b></p> <p>6 <b>and you can next, next, next. When you're done</b></p> <p>7 <b>finding the one you want like C3, you just press item</b></p> <p>8 <b>and it will bring the item -- you know, that item into</b></p> <p>9 <b>the system.</b></p> <p>10 <b>So you can go in on -- on the item, select</b></p> <p>11 <b>an item and then use your find and next keys to find</b></p> <p>12 <b>items by the item number and/or the description.</b></p> <p>13 Q All right. Any other different search</p> <p>14 functionality besides this as -- for 6.0 as compared</p> <p>15 to Lawson 5.0?</p> <p>16 <b>A Let's go look at IC30, and here you have the</b></p> <p>17 <b>same ones that exist between 5.0 and 6.0 because it's</b></p> <p>18 <b>exactly -- it's basically exactly the same function.</b></p> <p>19 Q When we did that search -- it's the same --</p> <p>20 when you say it's the same function, so the search</p> <p>21 using IC30, the item search in Lawson 5.0 is the same</p> <p>22 as the search using IC30 in Lawson 6.0?</p> | <p style="text-align: right;">160</p> <p>1 Q Would you search in the item field or the</p> <p>2 description field?</p> <p>3 <b>A This is -- well, it's the item field. My</b></p> <p>4 <b>fault. Soda, it finds the first one.</b></p> <p>5 Q So why -- why does it display every item in</p> <p>6 the item master instead of just items that contain the</p> <p>7 word soda in the description?</p> <p>8 <b>A Because that's how the existing technology</b></p> <p>9 <b>worked at the time. We brought the first item up and</b></p> <p>10 <b>the next item next to it. But then we added the next</b></p> <p>11 <b>key so you could skip the ones that you didn't want.</b></p> <p>12 Q Okay. So the result of the search did not</p> <p>13 bring up the selected items that contain soda in the</p> <p>14 description; it brings up all items and then you can</p> <p>15 key through to see, using the next button, the ones</p> <p>16 that actually have soda in the description?</p> <p>17 <b>A That's correct.</b></p> <p>18 Q Is there any other search functionality in</p> <p>19 the procurement software for Lawson Software 6.0 that</p> <p>20 you're demonstrating that you haven't yet shown me?</p> <p>21 <b>A Well, you can find items -- if I'm looking</b></p> <p>22 <b>at an item number, this is one way to find an item.</b></p> |

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| <p style="text-align: right;">161</p> <p>1 But in the different systems around Lawson, let's go<br/>2 back for a moment here, it's not the only place you<br/>3 can look at.<br/>4 If I was in requisitions and I wanted to<br/>5 look at inquiries, I would like to look requisition by<br/>6 item, and then I can do a -- I'm just going to go look<br/>7 at a specific company here. And I want to look just<br/>8 for anything in the system. I want to look at -- if<br/>9 you're looking here, here's a requisition location 1,<br/>10 and I can see here's item 1 and here's all the<br/>11 requisitions in the system, requisition 9, 10, 11,<br/>12 whatever, the amounts, and I want to see every<br/>13 requisition that has that item. Here's another one<br/>14 for item 1000, here is another one for item 1001. You<br/>15 can go in and look, use the key item to find the<br/>16 requisitions that are on that -- that have that<br/>17 specific item within it.<br/>18 Q So what you're doing right now is to see --<br/>19 is searching using an item number to see all<br/>20 requisitions that have been created using that item<br/>21 number?<br/>22 A That is correct.</p>                                       | <p style="text-align: right;">163</p> <p>1 master.<br/>2 A Right, this one right here.<br/>3 Q So let's do a search either by item number<br/>4 or by description for --<br/>5 A I'm --<br/>6 Q Let's do a search by description for soda.<br/>7 A Item group, books, description, so let's put<br/>8 a description in for soda. I have to go find out if<br/>9 that's the same item master. It might not well be the<br/>10 item group here.<br/>11 Q Didn't you already have items existing in<br/>12 the item master that had soda as a description?<br/>13 A Yes, but I have multiple companies out here.<br/>14 Do you see this company number? I'm not in a group<br/>15 anymore because I'm looking at a specific company.<br/>16 I don't think I can do it this way. Let me<br/>17 just look at something real quick so I can make<br/>18 something consistent here. And I think I used group<br/>19 001. There's soda pop. So we're in group 001 and<br/>20 then I need to go back here for a moment. I have to<br/>21 find out what company uses group 001.<br/>22 I'm not going to find it quickly it looks</p>                                 |
| <p style="text-align: right;">162</p> <p>1 Q Okay. Any other search capability in 6.0?<br/>2 A This is in the requisition side. Let's go<br/>3 over to the purchase order side again, and we're going<br/>4 to look at the menu and we're going to go down to<br/>5 inquiries. Now I'm going to see purchase orders that<br/>6 have a certain item on them. So I'm going to go<br/>7 again, inquire here. And then I'm going to next<br/>8 through this because that gives me more functionality.<br/>9 So here is an item, 1001. Here's the<br/>10 delivery dates and then the purchase order numbers.<br/>11 So I could go in as a user and say I want to see -- I<br/>12 want to see every purchase order that was created for<br/>13 this item 1001 and see what line it's on, the date,<br/>14 order quantity, et cetera.<br/>15 Q This allows you to do a search in -- by item<br/>16 number for all purchase orders for a particular item<br/>17 number?<br/>18 A That is correct.<br/>19 Q Let's go back to the search that you were<br/>20 displaying, the first search you were displaying that<br/>21 allows you to search for an item either by item number<br/>22 or by description to see what's available in the item</p> | <p style="text-align: right;">164</p> <p>1 like. So let's just try that one again. I'm going to<br/>2 see if I can do it without the key company number.<br/>3 See, it requires the company number to be in there to<br/>4 do that search.<br/>5 Q I thought you showed me earlier a way to do<br/>6 the search.<br/>7 A There is, but there I did it by group,<br/>8 because items are keyed by group and then you tie<br/>9 group to a company. I have to know which company that<br/>10 group ties to.<br/>11 Let's try it this way.<br/>12 There are no companies in that group. So<br/>13 let's pick another group and see -- we know one has<br/>14 books in company 1, so let's just go do it that way.<br/>15 Q So what are you going to do now?<br/>16 A I'm just going to use company 1 and books<br/>17 because that's the -- that one has data in it and --<br/>18 Q Okay. So to do a search do you need to fill<br/>19 out each of the fields in the item search IC30?<br/>20 A Right. The company is a secured field and<br/>21 you have to have a valid secured company number,<br/>22 otherwise it's not going to let you do any work.</p> |



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| <p style="text-align: right;">165</p> <p>1 Q So once you have a valid secured company</p> <p>2 number, then you can enter data in any of the other</p> <p>3 fields and run a search?</p> <p>4 A That is correct. So now I'm in description.</p> <p>5 What would you like to search on?</p> <p>6 Q Soda, let's say.</p> <p>7 A There's no -- well, this database doesn't</p> <p>8 have soda in it, but I can type in soda.</p> <p>9 Q Well, let's put in something where there is</p> <p>10 data, I don't know, a different description.</p> <p>11 A Paper I put in.</p> <p>12 Q Okay.</p> <p>13 A Paper, books.</p> <p>14 Q Is that a particular item that's pulled up</p> <p>15 there?</p> <p>16 A Right. That's this item right here.</p> <p>17 Q All right.</p> <p>18 A Item 1000.</p> <p>19 Q Now, how -- how would you go about in Lawson</p> <p>20 Software 6.0 building a requisition from the selected</p> <p>21 match item you have here.</p> <p>22 A You wouldn't do it from here. You'd do it</p>  | <p style="text-align: right;">167</p> <p>1 the description, the item number, and the first user</p> <p>2 define field.</p> <p>3 Q So let's search for paper under description.</p> <p>4 A There you find it.</p> <p>5 Q Okay. So -- but before you go on, so,</p> <p>6 again, this doesn't bring up the selected items with</p> <p>7 paper in the description; it brings up everything,</p> <p>8 right?</p> <p>9 A It brings up the first match and then</p> <p>10 continues on from there. And if you want to find</p> <p>11 another one, you find next.</p> <p>12 Q But it has -- it continues on with every</p> <p>13 item in the item master, correct?</p> <p>14 A That is correct.</p> <p>15 Q Okay. So let's say we select the first one</p> <p>16 in the list here, paperback books, and can you show me</p> <p>17 how you build requisition for this item with paperback</p> <p>18 books?</p> <p>19 A Just drop -- just press enter, type in 10,</p> <p>20 and then you can go in, if you have to, you can</p> <p>21 require the unit of measures. You don't have to</p> <p>22 require it. Let's say it's eaches in this case. And</p>  |
| <p style="text-align: right;">166</p> <p>1 from the R -- RQ10 program.</p> <p>2 Q So you can't take this data here and build a</p> <p>3 requisition with it?</p> <p>4 A No.</p> <p>5 Q Okay.</p> <p>6 A There's this search and select by field</p> <p>7 within RQ10 that does this. This is just an inventory</p> <p>8 inquiry solution in the -- go ahead.</p> <p>9 Q So when I asked you to show me the search</p> <p>10 capabilities of the procurement software for Lawson</p> <p>11 Software 6.0, are you telling me now that there's also</p> <p>12 search capabilities within requisitions module for</p> <p>13 6.0?</p> <p>14 A Yes.</p> <p>15 Q All right. So let's see how that works.</p> <p>16 A Let's go back one. This is RQ10. This is</p> <p>17 the requisition generation program. So I have a</p> <p>18 company number and I have a requester. Then if I go</p> <p>19 to the item and I press select, it brings up how do</p> <p>20 you want to select it. So I can go in here and look</p> <p>21 at different search criteria, one being the item</p> <p>22 master. And then I have the ability to do the find on</p> | <p style="text-align: right;">168</p> <p>1 then you can go in and look at the specific accounting</p> <p>2 unit and accounts you want to look at because this is</p> <p>3 the accounting function. Or in this case I'm just</p> <p>4 going to press add and see what enters it gives me.</p> <p>5 And my com port just closed. See that right</p> <p>6 there? Something happened on my machine so I have to</p> <p>7 sign in again. So I apologize for that. I don't know</p> <p>8 what happened.</p> <p>9 Q All right, sign out and sign back in.</p> <p>10 While you're doing that, let me ask you</p> <p>11 whether there is search capability within the</p> <p>12 requisitions module for Lawson 5.0.</p> <p>13 A That one has a select function, but it's not</p> <p>14 as -- it brings up everything and then you can do the</p> <p>15 search and find, but it's not as defined as the one in</p> <p>16 6.0.</p> <p>17 So let's just make sure this thing is up and</p> <p>18 running. We should be good there.</p> <p>19 If you look in this, I'm going to go into</p> <p>20 select. You notice there's a series of more functions</p> <p>21 come up to go in and look at the item master inventory</p> <p>22 class, substitute items and so on. So I can go in and</p> |

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| <p style="text-align: right;">169</p> <p>1 <b>if you look at the item master, which is a wide</b></p> <p>2 <b>search.</b></p> <p>3 Q How can we determine whether or not the</p> <p>4 items you're searching for are non-stock items, in</p> <p>5 other words, the items that are not in inventory in</p> <p>6 the company?</p> <p>7 A <b>This brings all of them up because to a</b></p> <p>8 <b>requester there is no such thing as an inventoried</b></p> <p>9 <b>item or non-inventoried item. They're just items in</b></p> <p>10 <b>the master file.</b></p> <p>11 Q Well, isn't it correct in the current</p> <p>12 version of the Lawson's software you can determine</p> <p>13 whether or not a particular item that you search for</p> <p>14 in a requisitions module is a stock inventory item or</p> <p>15 a non-stock item?</p> <p>16 A <b>No, unless you -- unless you expose that</b></p> <p>17 <b>field to them, they will not know what it is.</b></p> <p>18 Q Right. But if the field is exposed, you</p> <p>19 know.</p> <p>20 A <b>Yes. You could do that also here if you</b></p> <p>21 <b>expose the field.</b></p> <p>22 Q Can you do that?</p>  | <p style="text-align: right;">171</p> <p>1 <b>function here, the select, no, these are all a series</b></p> <p>2 <b>of different ones here, but none of them are on a</b></p> <p>3 <b>stocked or non-stocked function.</b></p> <p>4 Q Okay.</p> <p>5 A <b>You can see the status of it here, but you</b></p> <p>6 <b>could have an inventoried item be purchased as a --</b></p> <p>7 <b>requisitioned as a non-stocked item, or you can have a</b></p> <p>8 <b>non-stocked item requisitioned as a stocked item. You</b></p> <p>9 <b>can change the status on that field as part of the</b></p> <p>10 <b>requisition.</b></p> <p>11 Q Well, let's -- let's run the search on</p> <p>12 requisitions that you were going to do before you got</p> <p>13 logged off.</p> <p>14 A <b>So here I can -- I can go in and do a find</b></p> <p>15 <b>on a specific item, so if I -- let's do it this way.</b></p> <p>16 <b>If I use the term "item," it finds the very first</b></p> <p>17 <b>item, the next item, the next item, the next item.</b></p> <p>18 <b>Once I find the item, it drops it in. If I put my</b></p> <p>19 <b>quantity in, the unit of measure, or you can just</b></p> <p>20 <b>press add and it will go in and use the default for</b></p> <p>21 <b>this item, the quantity, eaches, the accounting</b></p> <p>22 <b>distributions automatically.</b></p>            |
| <p style="text-align: right;">170</p> <p>1 A <b>No.</b></p> <p>2 Q Why not?</p> <p>3 A <b>Because it's locked down by the system</b></p> <p>4 <b>administrator.</b></p> <p>5 Q So what's that field on the right there, the</p> <p>6 inventory items, non-stock items?</p> <p>7 A <b>It just shows you the description of that,</b></p> <p>8 <b>okay? It shows you the -- the type that it is, but</b></p> <p>9 <b>you can't change the select function from the</b></p> <p>10 <b>standpoint of show me stock and non-stock unless you</b></p> <p>11 <b>go out and you actually change the select function</b></p> <p>12 <b>itself. Unless they've done this, which is I'll show</b></p> <p>13 <b>you something here, they might have put up -- I would</b></p> <p>14 <b>-- no, you can't change that function because it just</b></p> <p>15 <b>shows you the item here. If I go to the item master,</b></p> <p>16 <b>it brings up stocked and non-stocked.</b></p> <p>17 Q So the system that you're demonstrating here</p> <p>18 today for Lawson 6.0 running on the HP UNIX server</p> <p>19 doesn't have -- doesn't include within the</p> <p>20 requisitions module the capability to search for</p> <p>21 non-stock items, correct?</p> <p>22 A <b>Not -- from what I can see of the search</b></p> | <p style="text-align: right;">172</p> <p>1 Q Does it show when you create this</p> <p>2 requisition who the associated vendor is?</p> <p>3 A <b>No.</b></p> <p>4 Q It does not.</p> <p>5 A <b>No. If the item master -- let's just go and</b></p> <p>6 <b>look at something here. There's a requisition detail</b></p> <p>7 <b>line. And in that requisition detail line, this is</b></p> <p>8 <b>the detail that's being passed on to the system, the</b></p> <p>9 <b>date. Here's the item. And if you look out here,</b></p> <p>10 <b>you're going to see -- you can override this</b></p> <p>11 <b>information, but you must put a unit cost in or you</b></p> <p>12 <b>will not get a requisition processed because we're</b></p> <p>13 <b>going to check for dollar amounts. So I'm going to</b></p> <p>14 <b>add this one in. I'm also going to back to home and</b></p> <p>15 <b>change the line. And of course the delivery date</b></p> <p>16 <b>cannot be less than today's date. So that might cause</b></p> <p>17 <b>an issue in the system today because this is not a</b></p> <p>18 <b>system that's been -- yeah, it's not going to function</b></p> <p>19 <b>to add it fully.</b></p> <p>20 Do you see the date right there? This is</p> <p>21 not a Y2K compliant system and of course -- the system</p> <p>22 date looks at that date and says the delivery date</p> |

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| <p style="text-align: right;">173</p> <p>1 <b>cannot be less than today's date.</b></p> <p>2 Q So it looks like -- to the system it looks</p> <p>3 like you're trying to request a delivery date of 1909?</p> <p>4 A <b>That is correct --</b></p> <p>5 Q I --</p> <p>6 A <b>-- on this area.</b></p> <p>7 Q I assume Lawson 6.0 did not exist in 1999?</p> <p>8 A <b>No, it didn't exist then, that is correct.</b></p> <p>9 Q We don't know the exact release date, but</p> <p>10 we're pretty sure it was not 1909.</p> <p>11 A <b>Uh-hmm.</b></p> <p>12 Q So we can do a search in requisition module</p> <p>13 that you're demonstrating here today, but we can't</p> <p>14 search for non-stock items and we also can't search</p> <p>15 and find the associated vendor with the search result,</p> <p>16 right?</p> <p>17 A <b>Well, you could go down and let's look at</b></p> <p>18 <b>some things here. In this -- there's an item search</b></p> <p>19 <b>vendors for item J. What this is going to show you</b></p> <p>20 <b>here, and there's nothing turned on for this one, so</b></p> <p>21 <b>it doesn't give you an answer. You notice I try to</b></p> <p>22 <b>press J and it says no records to select from. You</b></p>                            | <p style="text-align: right;">175</p> <p>1 Q Okay. Is it possible to do a search within</p> <p>2 the requisitions module to find all of the different</p> <p>3 vendors associated with a particular item? In other</p> <p>4 words, if you have in your item master, let's say, an</p> <p>5 item description of soda and you have various vendors</p> <p>6 carrying soda, all right?</p> <p>7 A <b>Uh-hmm.</b></p> <p>8 Q Can you do a search to see all of the</p> <p>9 different vendors who are supplying soda?</p> <p>10 A <b>You would have to set it up by probably an</b></p> <p>11 <b>inventory class. And what we're going to show you</b></p> <p>12 <b>here are the vendors that have this specific item,</b></p> <p>13 <b>this book item here. And then on the find, I would</b></p> <p>14 <b>have to put in my major and minor class piece, and</b></p> <p>15 <b>then you could do that.</b></p> <p>16 Q So if you already had a major and minor</p> <p>17 class fields defined for soda, then you could use</p> <p>18 those major and minor codes to find everything that</p> <p>19 fit within those codes and then look at the vendors</p> <p>20 available for everything that fit within those codes?</p> <p>21 A <b>That's correct.</b></p> <p>22 Q Can you go to the help file menu there at</p> |
| <p style="text-align: right;">174</p> <p>1 <b>also will see people go in on the first user field</b></p> <p>2 <b>search and they would populate the user field with non</b></p> <p>3 <b>-- with a term non-stock. Okay? And I can look at</b></p> <p>4 <b>the ones that are non-stocked there. But also they</b></p> <p>5 <b>would go in potentially here into our source code and</b></p> <p>6 <b>they would add the functionality saying if I add a</b></p> <p>7 <b>field here called non-stocked, whatever that first</b></p> <p>8 <b>user field is, only show me those items.</b></p> <p>9 Q In other words, you could create additional</p> <p>10 source code that would modify the functionality as</p> <p>11 delivered -- as the software was licensed by Lawson to</p> <p>12 add this feature?</p> <p>13 A <b>That is correct.</b></p> <p>14 Q But it wasn't included in 6.0 as it was</p> <p>15 delivered by Lawson to the customer?</p> <p>16 A <b>That is correct.</b></p> <p>17 <b>Now the other thing -- go ahead.</b></p> <p>18 Q To be more specific, when I say add this</p> <p>19 feature, I mean a feature that would allow you to</p> <p>20 search within requisitions for non-stock items,</p> <p>21 correct?</p> <p>22 A <b>That is correct.</b></p> | <p style="text-align: right;">176</p> <p>1 the top of the requisitions module?</p> <p>2 A <b>This piece?</b></p> <p>3 Q Yes.</p> <p>4 A <b>This will just be the browser piece now.</b></p> <p>5 Q Right. It's the same thing we saw before.</p> <p>6 A <b>Right.</b></p> <p>7 Q Okay. What's -- when was the Requisition</p> <p>8 Self-Service first made available?</p> <p>9 A <b>As Requisition Self-Service, it would be in</b></p> <p>10 <b>2005 as calling that.</b></p> <p>11 Q Did it have a name before it was called</p> <p>12 Requisition Self-Service?</p> <p>13 A <b>To me it was very fuzzy. They had this</b></p> <p>14 <b>concept called self-evident applications or SEA,</b></p> <p>15 <b>S-E-A, with this little wavy thing with a sailboard on</b></p> <p>16 <b>it, and they showed us capabilities of that type of</b></p> <p>17 <b>technology back in 2000, 2001, but they never brought</b></p> <p>18 <b>it to market as a requisition front-end system like</b></p> <p>19 <b>Requisition Self-Service became.</b></p> <p>20 Q What are the differences in the types of</p> <p>21 capabilities functionality that Requisition</p> <p>22 Self-Service had as compared to the requisitions</p>  |

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| <p style="text-align: right;">177</p> <p>1 module we're looking at for Lawson 6.0?</p> <p>2 <b>A Requisition Self-Service used a shopping</b></p> <p>3 <b>basket concept. It also used an idea of segregating</b></p> <p>4 <b>items into categories. And that was something that we</b></p> <p>5 <b>had a purchase order.</b></p> <p>6 <b>When -- when Requisition Self-Service became</b></p> <p>7 <b>available, those categories became requisition lists.</b></p> <p>8 <b>So I could say corporate, here's my list for computer.</b></p> <p>9 <b>And I worked in the government sector, so we had</b></p> <p>10 <b>police items and we had maintenance items, and they</b></p> <p>11 <b>became -- you could click on that and then go right</b></p> <p>12 <b>into a specified list and just select items you want</b></p> <p>13 <b>and drop them right into the shopping basket.</b></p> <p>14 <b>Q So you could search by category in</b></p> <p>15 <b>Requisition Self-Service, by category of items?</b></p> <p>16 <b>A Well, those categories actually -- they</b></p> <p>17 <b>weren't a search. We predefined them. So you just</b></p> <p>18 <b>selected one -- say you were at a location and you had</b></p> <p>19 <b>office supplies and let's say non-stocked items. You</b></p> <p>20 <b>could click on those and it would just show you the</b></p> <p>21 <b>default items that were defined. And then you could</b></p> <p>22 <b>go into that list and click on the ones you wanted or</b></p> | <p style="text-align: right;">179</p> <p>1 you told them you can't use 9.0 anymore, we're going</p> <p>2 to have to switch you back to Lawson 5.0 or Lawson 6.0</p> <p>3 with respect to the procurement software, would that</p> <p>4 be okay for a customer today?</p> <p>5 <b>A An impossible -- excuse me, a customer would</b></p> <p>6 <b>not be happy with that functionality.</b></p> <p>7 <b>MR. STRAPP: Why don't we take a five-minute</b></p> <p>8 <b>break.</b></p> <p>9 <b>THE VIDEOGRAPHER: Going off the record.</b></p> <p>10 <b>The time is 3:19 p.m.</b></p> <p>11 <b>(A brief recess was taken.)</b></p> <p>12 <b>THE VIDEOGRAPHER: Back on the record. The</b></p> <p>13 <b>time is 3:40 p.m.</b></p> <p>14 <b>BY MR. STRAPP:</b></p> <p>15 <b>Q Can you go back to the requisitions module</b></p> <p>16 <b>in 6.0 that we were looking at, please.</b></p> <p>17 <b>A Okay, uh-hmm.</b></p> <p>18 <b>Q All right. Now, can you run a search in the</b></p> <p>19 <b>requisitions module for a particular description?</b></p> <p>20 <b>A I'm going to the item master file now and I</b></p> <p>21 <b>do a select and I get to pick which one I want. Say</b></p> <p>22 <b>it's item master. Then here I do a find as a function</b></p>   |
| <p style="text-align: right;">178</p> <p>1 put a quantity and click add or just click add and it</p> <p>2 would drop them into the shopping cart.</p> <p>3 <b>It also had the ability to suspend a</b></p> <p>4 <b>shopping cart, which is something requisitions does</b></p> <p>5 <b>not do as a shopping cart. It also could print from</b></p> <p>6 <b>there, so we could print off in the requisition</b></p> <p>7 <b>system. So I'm on a remote location, I want to print</b></p> <p>8 <b>it, I print it locally.</b></p> <p>9 <b>So it had a bunch more functionality than</b></p> <p>10 <b>"standard" requisition, but the Requisition</b></p> <p>11 <b>Self-Service also runs through RQ10 to actually create</b></p> <p>12 <b>the record. So the RQ Self-Service had more</b></p> <p>13 <b>functionality from a look and feel standpoint, but it</b></p> <p>14 <b>also created the record from RQ10. You could do no</b></p> <p>15 <b>more or no less from RQ10 from creating a final record</b></p> <p>16 <b>in the system.</b></p> <p>17 <b>Q But from the point of view of the user, it</b></p> <p>18 <b>had a lot more different functionality than</b></p> <p>19 <b>requisitions did?</b></p> <p>20 <b>A It was simpler.</b></p> <p>21 <b>Q Do you think it would be acceptable to a</b></p> <p>22 <b>Lawson customer today using Lawson Software 9.0, if</b></p>  | <p style="text-align: right;">180</p> <p>1 <b>key and then you can do the item description search</b></p> <p>2 <b>right here. Like I would say I use item, and then I</b></p> <p>3 <b>press enter and then it finds the first one with an</b></p> <p>4 <b>item. And then the find next key for the next item,</b></p> <p>5 <b>next item, next item.</b></p> <p>6 <b>Q Okay, now, if you -- let's build a</b></p> <p>7 <b>requisition with one of the -- with the first item</b></p> <p>8 <b>that showed up after you ran that search.</b></p> <p>9 <b>A So I'm going to go back and I'm going to</b></p> <p>10 <b>clear the whole form out now. Do you want me to do a</b></p> <p>11 <b>search or just pick one?</b></p> <p>12 <b>Q Why don't you do a search.</b></p> <p>13 <b>A Okay, I'll just do it on books here.</b></p> <p>14 <b>Q Okay.</b></p> <p>15 <b>A So there's paperback books, I find it, I</b></p> <p>16 <b>press enter, type a quantity in and then I can at this</b></p> <p>17 <b>point -- do you want any more items at this point or</b></p> <p>18 <b>just to be finished with the requisition?</b></p> <p>19 <b>Q Let's just be finished with the requisition.</b></p> <p>20 <b>So you're building the requisition. Now</b></p> <p>21 <b>that you've built the requisition, can you see the</b></p> <p>22 <b>associated vendor with this particular item?</b></p> |

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| <p style="text-align: right;">181</p> <p>1       <b>A No.</b></p> <p>2       Q You can't.</p> <p>3       <b>A No.</b></p> <p>4       Q Let me ask you another question. You had</p> <p>5 stated earlier back in the '90s when you would</p> <p>6 demonstrate software for the Lawson potential</p> <p>7 customers, like, for example, Lawson Software 6.0 --</p> <p>8       <b>A Yes.</b></p> <p>9       Q -- you would connect to that software either</p> <p>10 with your own server that you brought with you or</p> <p>11 through -- or directly to a server that didn't have</p> <p>12 any firewall, right, through the Telnet application.</p> <p>13       <b>A Right.</b></p> <p>14       Q Would it be possible for you to conduct a</p> <p>15 demonstration for us today using your own vintage</p> <p>16 1990's server rather than connecting through the VPN?</p> <p>17       <b>A Today, no, those servers don't exist</b></p> <p>18 <b>anymore. They're obsolete and thrown away.</b></p> <p>19       Q Okay. So none of those portable 1990</p> <p>20 servers that you were traveling around with are in</p> <p>21 existence anymore to your knowledge?</p> <p>22       <b>A To my knowledge there are none left.</b></p>  | <p style="text-align: right;">183</p> <p>1       marked Hvass Exhibit 4. It's a letter from your</p> <p>2 counsel to me dated May 27th concerning the</p> <p>3 demonstration today for the deposition, and I want to</p> <p>4 direct your attention to the last paragraph, second to</p> <p>5 last sentence that reads: "Additionally Lawson</p> <p>6 configured a 6.0.2 system which will be available as</p> <p>7 well."</p> <p>8       Is the 6.0 system that you've demonstrated</p> <p>9 today a 6.0.2 system or a 6.0 system?</p> <p>10       <b>A I don't know.</b></p> <p>11       Q How would you figure that out?</p> <p>12       <b>A I'd have to have a developer tell me.</b></p> <p>13       Q Is there -- when you -- when you open up the</p> <p>14 system here, is there any versioning information</p> <p>15 available in any of the drop-down screens or anywhere</p> <p>16 else?</p> <p>17       <b>A Not that I can get to.</b></p> <p>18       Q All right. Well, that's another question</p> <p>19 that we would like answered, what version are we</p> <p>20 looking at of the 6.0 system, is it 6.0 or is this</p> <p>21 6.0.2 or is this something else.</p> <p>22       Didn't you tell me earlier today, maybe I'm</p> |
| <p style="text-align: right;">182</p> <p>1       Q Okay. All right. Earlier today we asked</p> <p>2 you a series of questions about some information on</p> <p>3 last created date, last modified date for the files</p> <p>4 and the directories. And you had told me that for one</p> <p>5 of the two servers, either for the UNIX or for the IBM</p> <p>6 iSeries, you could show me that information. Was that</p> <p>7 for the iSeries or for the UNIX server?</p> <p>8       <b>A Both should have them, but I don't have</b></p> <p>9 <b>access to that level of knowledge within the system.</b></p> <p>10       Q That's --</p> <p>11       <b>A That's where we're going to get Bob Geiger</b></p> <p>12 <b>or Roger Shimada to get that information.</b></p> <p>13       Q Okay. Do you know whether any -- either of</p> <p>14 them have provided -- provided you or your counsel</p> <p>15 with that information yet?</p> <p>16       <b>A I don't know, but --</b></p> <p>17       MR. SCHULTZ: If we can hold on one minute</p> <p>18 -- I'm told it's coming shortly.</p> <p>19       (Exhibit 4 was marked for identification and</p> <p>20 attached to the deposition transcript.)</p> <p>21 BY MR. STRAPP:</p> <p>22       Q In the meantime the court reporter has</p> | <p style="text-align: right;">184</p> <p>1       -- I'm wrong on this, but I thought you said that we</p> <p>2 could access the directory information that would</p> <p>3 contain last modified date or created date for certain</p> <p>4 files for at least some of the systems.</p> <p>5       <b>A Yes, if -- if I had the commands and the</b></p> <p>6 <b>security, I could, but I don't know the commands, nor</b></p> <p>7 <b>do I have the security level to do those commands.</b></p> <p>8       Q Okay. That's what hopefully someone's going</p> <p>9 to provide you --</p> <p>10       <b>A Yes.</b></p> <p>11       Q -- before the end of the day.</p> <p>12       <b>A Or give us the results of that so you can</b></p> <p>13 <b>see it.</b></p> <p>14       Q Okay. Do you know what the release date of</p> <p>15 6.1 is, when it was generally available?</p> <p>16       <b>A From my recollection, it was September 30th</b></p> <p>17 <b>of 1994.</b></p> <p>18       MR. STRAPP: Could we go off the record for</p> <p>19 a minute, please?</p> <p>20       THE VIDEOGRAPHER: Going off the record.</p> <p>21 The time is 3:48 p.m.</p> <p>22       (A brief recess was taken.)</p>  |



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| <p style="text-align: right;">185</p> <p>1 THE VIDEOGRAPHER: Back on the record. The</p> <p>2 time is 4:16 p.m.</p> <p>3 BY MR. STRAPP:</p> <p>4 Q We talked earlier today about the version of</p> <p>5 Lawson desktop software that you were using. I don't</p> <p>6 need you to go back on the demonstration now, but the</p> <p>7 version that -- we already talked about how the</p> <p>8 version you're using today, which is a display type of</p> <p>9 software, is version 9.0.1.4, I believe.</p> <p>10 A Yes.</p> <p>11 Q The version you would have used back in the</p> <p>12 '90s when you were demonstrating the software,</p> <p>13 versions 5.0, and 6.0, and 6.1, would have been an</p> <p>14 earlier version of Lawson Desktop software, right?</p> <p>15 A Yes.</p> <p>16 Q Do you know whether you were able to use a</p> <p>17 mouse to navigate through that earlier Lawson Software</p> <p>18 when you were demonstrating it using an earlier</p> <p>19 version of the Lawson desktop software?</p> <p>20 A For 5.0, no. For 6.0, yes.</p> <p>21 Q Okay. Are there any other -- besides the</p> <p>22 mouse, are there any other functions or features</p>  | <p style="text-align: right;">187</p> <p>1 with an item that you're creating the requisition for?</p> <p>2 A Only if it's defaulted from the item master</p> <p>3 file.</p> <p>4 Q And how would that work?</p> <p>5 A If the item master file, IC11 or IC12, the</p> <p>6 location file, has a -- has a default vendor in, it</p> <p>7 will default that in as part of the requisition. If</p> <p>8 there's no default vendor, it leaves it blank.</p> <p>9 Q Okay. So you would need to create a default</p> <p>10 vendor for the particular item that you're building</p> <p>11 the requisition for in order to have a vendor</p> <p>12 associated with that item when you build a requisition</p> <p>13 as a result of your search in the requisitions module?</p> <p>14 A That is correct.</p> <p>15 Q And if you didn't have a default vendor for</p> <p>16 a particular item and you build a requisition for an</p> <p>17 item after doing a search in the requisitions module,</p> <p>18 there would not be a vendor associated with that item,</p> <p>19 correct?</p> <p>20 A That's correct.</p> <p>21 MR. STRAPP: Let's go off the record,</p> <p>22 please.</p> |
| <p style="text-align: right;">186</p> <p>1 available on Lawson desktop software that you're using</p> <p>2 today that weren't available either for the version of</p> <p>3 desktop software 5.0 or that Lawson desktop version</p> <p>4 6.0?</p> <p>5 A 6.0 could mail a screen. 5.0 could not.</p> <p>6 Otherwise they're virtually identical.</p> <p>7 Q Okay. So there's two differences you're</p> <p>8 aware of between Lawson desktop software 5.0 and the</p> <p>9 version you're using today. Other than that, one</p> <p>10 being the mouse, the other being mailing a screen, but</p> <p>11 other than those two differences, you're not aware of</p> <p>12 any as you sit here today?</p> <p>13 A Not that I know of.</p> <p>14 Q Okay. Earlier you testified in connection</p> <p>15 with building a requisition from a search that you did</p> <p>16 in the requisitions module for 6.0 that you could not</p> <p>17 see in the screen, the requisition screen, associated</p> <p>18 vendor with a particular item that you were building</p> <p>19 as a result of that search, correct?</p> <p>20 A That's correct.</p> <p>21 Q At the time you build the requisition in the</p> <p>22 requisitions module 6.0, is there a vendor associated</p> | <p style="text-align: right;">188</p> <p>1 THE VIDEOGRAPHER: Going off the record.</p> <p>2 The time is 4:19 p.m.</p> <p>3 (Discussion off the record.)</p> <p>4 THE VIDEOGRAPHER: Back on the record. The</p> <p>5 time is 4:21 p.m.</p> <p>6 EXAMINATION BY COUNSEL FOR DEFENDANT</p> <p>7 BY MR. SCHULTZ:</p> <p>8 Q Counsel had a question for you as to Exhibit</p> <p>9 number 4. Could you pull out Exhibit number 4.</p> <p>10 A Yes.</p> <p>11 Q Regarding the version number of the demo</p> <p>12 system that you're demoing today as 6.0.2 versus 6.0.</p> <p>13 Have you come to understand what the version number</p> <p>14 is?</p> <p>15 A From my understanding it is 6.0.2.</p> <p>16 Q Are there any differences in the 6.0 versus</p> <p>17 the 6.0.2 system?</p> <p>18 A In functionality, no. In patches, yes.</p> <p>19 Q What do you mean by that?</p> <p>20 A When Lawson releases a system, usually in</p> <p>21 the first three or four months, our users find things</p> <p>22 that need to be fixed. So Lawson provides fixes in</p>   |

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| <p style="text-align: right;">189</p> <p>1 the dot zero dot 1, 2, 3. And so the functionality is</p> <p>2 the same, but patches get installed to fix minor</p> <p>3 issues within the software.</p> <p>4 Q You also mentioned, there was a question</p> <p>5 regarding would the customer be happy if they --</p> <p>6 using -- a customer of the 9.0 system had to go back</p> <p>7 and use a 5.0 or 6.0 system. And you said -- what --</p> <p>8 what do you recall saying?</p> <p>9 A I said in the Requisition Self-Service area,</p> <p>10 they would not be happy with it.</p> <p>11 Q Why not?</p> <p>12 A It's not that they lose functionality. It's</p> <p>13 that they look and feel significantly easier to work</p> <p>14 with in the Requisition Self-Service module.</p> <p>15 Q Okay. When you say they don't lose</p> <p>16 functionality, what do you mean?</p> <p>17 A When you go to Requisition Self-Service, it</p> <p>18 always processes through the standard requisition</p> <p>19 program, so they can do functionally all of the same</p> <p>20 things that they can do in RQ10, but it's not in the</p> <p>21 nice user interface of a shopping basket.</p> <p>22 Q Other than the shopping basket, is there any</p> | <p style="text-align: right;">191</p> <p>1 in, they could -- they could go on to a template,</p> <p>2 bring up all the items in that template and then</p> <p>3 select the ones they wanted to use in RQ10. That</p> <p>4 template is -- is still there today, and when you</p> <p>5 bring up Requisition Self-Service, the template</p> <p>6 becomes the catalog. So there's no more rekeying to</p> <p>7 it. It just comes up under a different name. The</p> <p>8 reason it's in a different name is because users in</p> <p>9 this current environment don't understand the</p> <p>10 template, but they understand how to buy off a catalog</p> <p>11 since it's a common metaphor in today's business</p> <p>12 world.</p> <p>13 Q So the term catalog that's used is the same</p> <p>14 thing as the template that was used in 5.0 and 6.0?</p> <p>15 A It's identical.</p> <p>16 Q Are you familiar with webrec?</p> <p>17 A Not personally, no.</p> <p>18 Q Are you familiar with webrec being the</p> <p>19 predecessor to the RSS program?</p> <p>20 A I've heard the name, but I never used it in</p> <p>21 any kind of detailed fashion at Lawson.</p> <p>22 Q You mentioned that there's a self-evident</p> |
| <p style="text-align: right;">190</p> <p>1 functionality on the requisition process that's</p> <p>2 different from a customer who's using only RQ to a</p> <p>3 customer who's using RSS?</p> <p>4 A No, they're the same functions.</p> <p>5 Q And the RSS also incorporates the</p> <p>6 functionalities of the PO and IC?</p> <p>7 A Through that process it always goes in --</p> <p>8 the Requisition Self-Service creates a requisition.</p> <p>9 It goes through the approval. Once it's in that part,</p> <p>10 it's in the back office and it's following the back</p> <p>11 office systems, the purchase order, inventory and</p> <p>12 matching systems.</p> <p>13 Q Okay. So when you say the back office,</p> <p>14 that's the purchase order, the inventory control and</p> <p>15 the requisitions modules?</p> <p>16 A That is correct.</p> <p>17 Q You also mentioned that with an RSS there</p> <p>18 are categories. Is that the same thing -- is there a</p> <p>19 similar thing to categories with respect to the 6.0</p> <p>20 and 5.0 systems?</p> <p>21 A Yes, those are -- the original idea was</p> <p>22 creating a template so when a requisition user went</p>   | <p style="text-align: right;">192</p> <p>1 application or SEA. What is that?</p> <p>2 A It was a precursor to Requisition</p> <p>3 Self-Service. We also had them in human resources and</p> <p>4 in payroll that were designed, this is to prove out</p> <p>5 the concept of going on the web. And as those designs</p> <p>6 were proved out, then they became commercially</p> <p>7 available and we -- we renamed them things like</p> <p>8 Requisition Self-Service, Manager Self-Service, Human</p> <p>9 Resources Self-Service, those kind of ideas.</p> <p>10 Q When you brought up -- switching topics now.</p> <p>11 When you brought up the 5.0 system that was developed</p> <p>12 on the 2.0 environment from 1993, do you recall that?</p> <p>13 A Yes.</p> <p>14 Q And that was on the product line cobdeliv?</p> <p>15 A That is correct.</p> <p>16 Q It had no data in it, correct?</p> <p>17 A It has very limited data. In inventory it</p> <p>18 appears as none.</p> <p>19 Q When -- when software code was delivered to</p> <p>20 customers in the 5.0, 6.0 Legacy systems, was it ever</p> <p>21 delivered with code -- with data?</p> <p>22 A With data? No, it's never delivered with</p>         |

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| <p style="text-align: right;">193</p> <p>1 <b>data because the customer brings in their data.</b></p> <p>2 Q Is the code as of today in the 9.0 system</p> <p>3 delivered with data?</p> <p>4 <b>A No, it's not delivered with any data.</b></p> <p>5 Q So the software has always been delivered</p> <p>6 the same way, from 9.0 all the way back to 5.0?</p> <p>7 <b>A That is correct.</b></p> <p>8 Q And that is without data.</p> <p>9 <b>A That is correct.</b></p> <p>10 Q There was also some discussion about whether</p> <p>11 you could search in the Legacy systems, the 5.0 and</p> <p>12 6.0 systems, regarding stock and non-stock items. Do</p> <p>13 you recall that testimony?</p> <p>14 <b>A Yes, I do.</b></p> <p>15 Q Do you recall that testimony where you</p> <p>16 talked about where you could fill in the fields to --</p> <p>17 to list the stock and non-stock items?</p> <p>18 <b>A Meaning that on a user defined field, are</b></p> <p>19 <b>you asking about using a user defined field to help</b></p> <p>20 <b>select stock and non-stock?</b></p> <p>21 Q That's correct.</p> <p>22 <b>A Okay, one of the things that users have</b></p>   | <p style="text-align: right;">195</p> <p>1 recall that?</p> <p>2 <b>A Yes, I do.</b></p> <p>3 Q Did the search result that came back match</p> <p>4 the search criteria that you entered into the Lawson</p> <p>5 system?</p> <p>6 <b>A Yes. As designed it brings up the first</b></p> <p>7 <b>record of the matching function.</b></p> <p>8 Q And then you're able to do the find next</p> <p>9 which also brings up the next match to your search</p> <p>10 criteria, correct?</p> <p>11 <b>A That is correct.</b></p> <p>12 Q Do you recall doing a search in the 6.0</p> <p>13 system in the requisition module where you were able</p> <p>14 to do a search for a product in the requisitions</p> <p>15 module?</p> <p>16 <b>A Yes, on the item master field in the</b></p> <p>17 <b>requisition line, you can search on the item-by-item</b></p> <p>18 <b>description, item number, or the selected item for a</b></p> <p>19 <b>first user defined field, sales class, purchasing</b></p> <p>20 <b>class and inventory class.</b></p> <p>21 Q And counsel did not have you go through the</p> <p>22 requisition process in the 5.0 system, that would do</p>   |
| <p style="text-align: right;">194</p> <p>1 <b>done, that's why the field is there, there's a user</b></p> <p>2 <b>defined field 1 in Lawson, it's the item master</b></p> <p>3 <b>record, that is searchable and selectable. And they</b></p> <p>4 <b>could put a code in there like NON, non-stock, and</b></p> <p>5 <b>then that's the only list we would bring up. So they</b></p> <p>6 <b>could select those rather than have them mixed within</b></p> <p>7 <b>the system.</b></p> <p>8 Q There was a discussion about whether that</p> <p>9 would be changing the source code. Would that be</p> <p>10 changing the source code?</p> <p>11 <b>A In this case, no.</b></p> <p>12 Q Would it be more akin to adding data?</p> <p>13 <b>A It's a matter of data entry, not a matter of</b></p> <p>14 <b>changing the system function.</b></p> <p>15 Q So similar to a Lawson customer who adds</p> <p>16 data to the system, the Lawson customer could add the</p> <p>17 non-stock and stock variations to the system?</p> <p>18 <b>A Absolutely.</b></p> <p>19 Q In the 6.0 system, you had gone through and</p> <p>20 you did a search. Do you recall doing a search and</p> <p>21 there was a question whether there was -- the search</p> <p>22 results were of matching items to your search; do you</p> | <p style="text-align: right;">196</p> <p>1 the same functionality. My question to you is, did</p> <p>2 the 5.0 system have the same functionality as the 6.0</p> <p>3 system that would allow you to do a search for</p> <p>4 matching items and then bring those matching items to</p> <p>5 a requisition?</p> <p>6 <b>A Yes, but by description and item number.</b></p> <p>7 Q So the only difference was that in -- in</p> <p>8 terms of the input that you have rather than the</p> <p>9 functionality itself?</p> <p>10 <b>A It's exactly the same function. 6.0 has</b></p> <p>11 <b>more ability to give you more categories to search on.</b></p> <p>12 Q There was also discussion regarding doing a</p> <p>13 search by a vendor. Do you recall that discussion?</p> <p>14 <b>A We had a discussion. I never showed it in</b></p> <p>15 <b>the system.</b></p> <p>16 Q Okay. I would like you to show that in the</p> <p>17 system doing a search by a vendor.</p> <p>18 MR. SCHULTZ: Jimmy, if we could bring up</p> <p>19 the recording, please.</p> <p>20 Q If you could describe to us as the recording</p> <p>21 is getting set up where you are.</p> <p>22 MR. CLEMENTS: It's recording now.</p> |

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| <p style="text-align: right;">197</p> <p>1       <b>A</b>   In the purchase order module, I'm going to</p> <p>2       go over to a purchase requisition and bring up data</p> <p>3       within the system.</p> <p>4       And on the vendor master record, you're</p> <p>5       going to see the selectability. So I'm on the vendor</p> <p>6       field under a purchase order and I can now go to</p> <p>7       select an AP vendor or purchasing vendor. And once I</p> <p>8       select that vendor, it will bring up a list and then,</p> <p>9       again, you can do your find on a search name, on a</p> <p>10      location or the vendor number itself. And so I can</p> <p>11      search in this case, say I wanted to go in and use NA.</p> <p>12      You could search, and, again, it would bring up in</p> <p>13      this case the first NA. And then you could go out and</p> <p>14      do a next function and find the next NA if there was</p> <p>15      one in that search list.</p> <p>16      And when you find the one you want, you can</p> <p>17      go in and press enter and bring it back to the, in</p> <p>18      this case, the purchase order form that you're working</p> <p>19      with.</p> <p>20      Q   Could we go back into the 5.0 system?</p> <p>21      <b>A</b>   Yes, we can.</p> <p>22      MR. STRAPP: Could you specify to which 5.0</p> | <p style="text-align: right;">199</p> <p>1       <b>A</b>   That is correct.</p> <p>2       Q   So it would be accurate that the data that's</p> <p>3       entered into the system was entered in before 1994?</p> <p>4       <b>A</b>   That is correct.</p> <p>5       Q   It would have been entered in on April 16th,</p> <p>6       1993?</p> <p>7       <b>A</b>   That is correct.</p> <p>8       Q   Now, I see it's not Y2K compliant. Is --</p> <p>9       was this system ever updated for Y2K compliance?</p> <p>10      <b>A</b>   No, it was not.</p> <p>11      Q   Why not?</p> <p>12      <b>A</b>   Lawson chose, instead of updating this</p> <p>13      release, they went into the next release level, and</p> <p>14      where it made sense, we made all the years four digits</p> <p>15      long, making them Y2K compliant.</p> <p>16      Q   So would it be accurate to assume or -- or</p> <p>17      would it be accurate that this system was prior to</p> <p>18      2000?</p> <p>19      <b>A</b>   Yes, it would be.</p> <p>20      Q   And what is the actual date of the 5.0</p> <p>21      system?</p> <p>22      <b>A</b>   The date of release or date of -- of this</p>  |
| <p style="text-align: right;">198</p> <p>1       system? There's two different 5.0 systems.</p> <p>2       BY MR. SCHULTZ:</p> <p>3       Q   Yes, let's go into the 5.0 system with the</p> <p>4       support product line.</p> <p>5       <b>A</b>   What application would you like to go into?</p> <p>6       Q   What I'd like you to do is I would like you</p> <p>7       to go through the item numbers, so it may be inventory</p> <p>8       control.</p> <p>9       <b>A</b>   And you would like to see the setup of those</p> <p>10      items or just reviewing the file?</p> <p>11      Q   What I would like to see is you had gone</p> <p>12      through -- you had paged through the items. And there</p> <p>13      was a field in that -- in that screen that allowed you</p> <p>14      to see the date established. I would like to see</p> <p>15      that. Okay, now you're scrolling through the items?</p> <p>16      <b>A</b>   That's correct.</p> <p>17      Q   This is in the item master?</p> <p>18      <b>A</b>   This is in the item master, yes.</p> <p>19      Q   Okay. And right now you're -- you're --</p> <p>20      well, it was. The date established on this particular</p> <p>21      record, is it correct that it would be April 16th of</p> <p>22      1993?</p>  | <p style="text-align: right;">200</p> <p>1       <b>system we're looking at?</b></p> <p>2       Q   The date of the first release of the 5.0</p> <p>3       system.</p> <p>4       <b>A</b>   It would be sometime in 1991, most likely in</p> <p>5       the first half of the year.</p> <p>6       Q   You talked about the major and minor class.</p> <p>7       What -- what are the major and minor class; is that a</p> <p>8       hierarchical system?</p> <p>9       <b>A</b>   It's a -- if you look on this form here,</p> <p>10      Lawson supports --</p> <p>11      Q   You're on the IC11.1?</p> <p>12      <b>A</b>   Yes, I am. Lawson supports -- I'm going to</p> <p>13      go previous here just to show you some information.</p> <p>14      If you'll notice here on this particular item 102, you</p> <p>15      can set up major and minor classes that are used to</p> <p>16      search for the particular item when you're -- when</p> <p>17      you're in the system. And those codes are user</p> <p>18      defined, so I can set up my own classes and subclasses</p> <p>19      and use them to find items within the system when</p> <p>20      you're working with the system.</p> <p>21      Q   There's also a UPC code. What is the UPC</p> <p>22      code?</p> |

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| <p style="text-align: right;">201</p> <p>1       <b>A</b>   <b>That was a field we added in over time,</b><br/> 2       <b>which is in the 5.0 system, to track the Universal</b><br/> 3       <b>Product Codes that people would want to use within our</b><br/> 4       <b>system.</b><br/> 5       Q   Are you familiar with the codes that are<br/> 6       called UNSPSC codes?<br/> 7       <b>A</b>   <b>I'm familiar with the business concept.</b><br/> 8       Q   What is the business concept?<br/> 9       <b>A</b>   <b>The United Nations wanted a global</b><br/> 10       <b>recognized coding system to select and find items by</b><br/> 11       <b>all vendors across the world. And that coding</b><br/> 12       <b>structure was put in place for -- basically for major</b><br/> 13       <b>and minor types of stuff. It was a UN code that they</b><br/> 14       <b>specified and controlled.</b><br/> 15       Q   Is the UNSPSC code in the current version of<br/> 16       Lawson's software?<br/> 17       <b>A</b>   <b>Yes, it is.</b><br/> 18       Q   Was it in the 8.0.3 version of Lawson's<br/> 19       software?<br/> 20       <b>A</b>   <b>Yes, it was.</b><br/> 21       Q   What was -- was there anything that was<br/> 22       similar to the UNSPSC codes in the version 6 and</p>   | <p style="text-align: right;">203</p> <p>1       Q   And rather than using UNSPSC codes, the<br/> 2       Lawson systems at the time used the major/minor class,<br/> 3       the UCP code, and the user defined fields?<br/> 4       <b>A</b>   <b>Yes.</b><br/> 5       Q   You also had a discussion about -- well,<br/> 6       actually what you did is you input data for a<br/> 7       particular item. Do you recall that testimony?<br/> 8       <b>A</b>   <b>Yes. Are you talking about the item by</b><br/> 9       <b>vendor by price file?</b><br/> 10       Q   Did you not put a new item into the system?<br/> 11       <b>A</b>   <b>I did earlier but not today.</b><br/> 12       Q   Okay. When you put in those items, did you<br/> 13       key those in?<br/> 14       <b>A</b>   <b>Yes.</b><br/> 15       Q   Or some other manner?<br/> 16       <b>A</b>   <b>I keyed them in.</b><br/> 17       Q   Okay. In the process -- in the current<br/> 18       systems today of Lawson, what is the process of<br/> 19       entering information into the item master?<br/> 20       <b>A</b>   <b>You can still do the online method if you</b><br/> 21       <b>want to go key your items in, but most clients already</b><br/> 22       <b>have an established item master file and they would</b></p>  |
| <p style="text-align: right;">202</p> <p>1       version 5 of Lawson's software?<br/> 2       <b>A</b>   <b>People could have used the UPC code, but</b><br/> 3       <b>more likely they would have set up either an item</b><br/> 4       <b>class or subclass to do that or they might have used</b><br/> 5       <b>two user defined fields and put that information into</b><br/> 6       <b>the system.</b><br/> 7       Q   How would they use two user defined fields<br/> 8       to put the information into the system that would be<br/> 9       similar to an UNSPSC code?<br/> 10       <b>A</b>   <b>They could go in and change our user fields</b><br/> 11       <b>and actually put value -- valid values and</b><br/> 12       <b>relationships in with our case tool and added that</b><br/> 13       <b>into the application. And they could have done that</b><br/> 14       <b>outside of the standard core coding of the system.</b><br/> 15       Q   So they wouldn't have to change the source<br/> 16       code?<br/> 17       <b>A</b>   <b>No, they would add additional source code to</b><br/> 18       <b>do that.</b><br/> 19       Q   The -- in other words, the 5.0 and 6.0<br/> 20       systems were capable of inputting UNSPSC codes if they<br/> 21       existed at the time?<br/> 22       <b>A</b>   <b>Yes, they could have.</b></p> | <p style="text-align: right;">204</p> <p>1       <b>generally go out and either use a Lawson supplied tool</b><br/> 2       <b>or one of their tools, map their data to our input</b><br/> 3       <b>structure and then import that data in, review it for</b><br/> 4       <b>errors, correcting the errors, review it again after</b><br/> 5       <b>they bring it in, after they fix them, and then they</b><br/> 6       <b>would import them in with full added control rather</b><br/> 7       <b>than keying them in. There would be an electronic</b><br/> 8       <b>input function.</b><br/> 9       Q   What would be the electronic input functions<br/> 10       that they would use today?<br/> 11       <b>A</b>   <b>They would go in and there's a standard</b><br/> 12       <b>interface file in the inventory module that exists</b><br/> 13       <b>today, and it's existed quite some time. Actually 5.0</b><br/> 14       <b>and 6.0 had those pieces of program technology, and</b><br/> 15       <b>they would import them into the system.</b><br/> 16       Q   Would it be accurate that the current system<br/> 17       uses a module that's known as PO536?<br/> 18       <b>A</b>   <b>That is correct. That -- that one's for --</b><br/> 19       <b>for vendor item and prices.</b><br/> 20       Q   And there's another that's for inventory<br/> 21       control, that's inventory -- or IC811?<br/> 22       <b>A</b>   <b>Yes, for the current system today, yes.</b></p> |



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| <p style="text-align: right;">205</p> <p>1 Q What are the current systems -- okay, so</p> <p>2 those are the current systems, the PO536 and the</p> <p>3 IC811, correct?</p> <p>4 A That is correct.</p> <p>5 Q What are the equivalents to the PO536 and</p> <p>6 the IC811 of the 5.0 and 6.0 systems?</p> <p>7 A Okay, so if I go -- I'm going to go in -- is</p> <p>8 it okay to go in and show you those -- those updates</p> <p>9 in the system?</p> <p>10 Q Yeah. I would like you to go into the 6.0</p> <p>11 system, if you would, please.</p> <p>12 A Okay. And so in the system -- this is an</p> <p>13 inventory. There's a function for interfaces and</p> <p>14 conversions, and there's an item master load file that</p> <p>15 will bring in item master records called IC911.</p> <p>16 Q Okay. So the equivalent of IC811 that's in</p> <p>17 the current system in the version 6 system is IC911?</p> <p>18 A That is correct.</p> <p>19 Q Is there a PO913 that's equivalent to the</p> <p>20 PO536?</p> <p>21 A I'm going over into the purchase order</p> <p>22 system right now and going into interfaces, and there</p> | <p style="text-align: right;">207</p> <p>1 A Well, what I'm showing you now online, in</p> <p>2 PO540, Lawson could -- could create in the 6.0 system</p> <p>3 an EDI file and then this is -- takes that flat file</p> <p>4 and takes the Lawson purchase orders, puts them into</p> <p>5 the electronic interface, and then it could be sent</p> <p>6 and transmitted by standard EDI software.</p> <p>7 Q So the 5.0 and 6.0 systems supported EDI?</p> <p>8 A That is correct.</p> <p>9 Q Could you go to IC11.1, please?</p> <p>10 A Say that one more time, please. IC --</p> <p>11 Q IC11.1. What is IC11.1?</p> <p>12 A That's the item master file. And would you</p> <p>13 like some data brought into it, too?</p> <p>14 Q Yes, please.</p> <p>15 And what did you just do?</p> <p>16 A I just went in and brought up the item</p> <p>17 group, and I did a next function to bring up the first</p> <p>18 item within the system.</p> <p>19 Q And that displayed the data for the</p> <p>20 particular item that is in the item master?</p> <p>21 A That is correct.</p> <p>22 Q The functionality of the current version of</p>  |
| <p style="text-align: right;">206</p> <p>1 is a purchase order interface. There's also a header</p> <p>2 load -- and what was the program number?</p> <p>3 Q PO913.</p> <p>4 A 913. This is the item vendor load that will</p> <p>5 load in vendors with items and prices from an upload</p> <p>6 from a batch file. And this one -- Lawson supplies</p> <p>7 the database structure. And if you feed the data from</p> <p>8 the prior system into Lawson or from what they call a</p> <p>9 vendor supplied price list, which is commonly referred</p> <p>10 to as a catalog, it would load those into the system</p> <p>11 as the vendor, the price, the effective date and the</p> <p>12 next effective date and price into the system. And</p> <p>13 this was in the 6.0 system as a standard product</p> <p>14 delivery.</p> <p>15 Q Are you familiar -- familiar with the EDI</p> <p>16 transaction?</p> <p>17 A Yes, I am.</p> <p>18 Q And are you familiar with the current system</p> <p>19 that uses IC800?</p> <p>20 A Yes, I am.</p> <p>21 Q What is the equivalent in the 5.0 and 6.0</p> <p>22 systems?</p>                         | <p style="text-align: right;">208</p> <p>1 POICNRQ, has it changed since version 5?</p> <p>2 A The additional -- the baseline functionality</p> <p>3 of setting up items, creating a purchase order and</p> <p>4 those major functions are you talking about or</p> <p>5 specific -- the later releases, 8.0, 9.0, you'll see</p> <p>6 more fields and more functionality within the</p> <p>7 inventory master, but the same base system existed.</p> <p>8 In fact it's the same program number.</p> <p>9 If I went into 9.0 today, I could go in and</p> <p>10 type in IC11.1 and it would bring me to exactly the</p> <p>11 same function in the system, the item master file.</p> <p>12 Q In the additional fields, those additional</p> <p>13 fields could have been written into the 5.0 and 6.0</p> <p>14 systems?</p> <p>15 A They could have been. Our customers weren't</p> <p>16 asking for them then; and as they did, we put them</p> <p>17 into the system as additional releases.</p> <p>18 Q But there were the user defined fields that</p> <p>19 the customers could have filled in?</p> <p>20 A Absolutely.</p> <p>21 MR. SCHULTZ: Okay. Nothing further at this</p> <p>22 time.</p> |

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| <p style="text-align: right;">209</p> <p>1 FURTHER EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>2 BY MR. STRAPP:</p> <p>3 Q Okay. So we have some additional questions.</p> <p>4 We would like to introduce some additional exhibits as</p> <p>5 well.</p> <p>6 First, you were just asked by counsel for</p> <p>7 Lawson whether the functionality of the current</p> <p>8 versions of purchase order, inventory control and</p> <p>9 requisitions have changed since version 5. Do you</p> <p>10 recall being asked that question?</p> <p>11 A Yes.</p> <p>12 Q And is it fair to say that the functionality</p> <p>13 of those modules that Lawson purchased -- is it your</p> <p>14 testimony that the functionality of those modules</p> <p>15 within the procurement software that Lawson offers has</p> <p>16 not changed since version 5 in the early '90s?</p> <p>17 A It has had additional functions brought into</p> <p>18 it, but the -- the substance of creating a</p> <p>19 requisition, creating a purchase order, creating a</p> <p>20 receiver and creating a match business-wise are</p> <p>21 identical.</p> <p>22 Q So is it fair to say, then, that customers</p>                                | <p style="text-align: right;">211</p> <p>1 by Lawson, sorry, you can't use 9.0 anymore, you need</p> <p>2 to use the procurement modules for 5.0?</p> <p>3 A We have never done that for a client.</p> <p>4 Q And you never would, correct?</p> <p>5 A No, it wouldn't be good business practice.</p> <p>6 Q You testified just recently that Lawson 5.0</p> <p>7 has capability of search functionality within the</p> <p>8 requisitions module in the 5.0; is that correct?</p> <p>9 A That is correct.</p> <p>10 Q Could you pull up -- well, to clarify,</p> <p>11 there's two different versions of Lawson 5.0. There's</p> <p>12 -- that you would demonstrate today. One is the one</p> <p>13 running on UNIX Universe 2.0 from 1993 that has no</p> <p>14 data in inventory and item master, correct?</p> <p>15 A That is correct.</p> <p>16 Q So we can't go into that to build a</p> <p>17 requisition or search because there's no data,</p> <p>18 correct?</p> <p>19 A That is correct.</p> <p>20 Q So let's open up the version of 5.0 that's</p> <p>21 either the cyclical or support version running on UNIX</p> <p>22 Universe 2.1 from 1995, and if you could go into the</p> |
| <p style="text-align: right;">210</p> <p>1 of Lawson using Lawson 9.0, if they were told by</p> <p>2 Lawson that they needed to switch back to the</p> <p>3 procurement modules available in the early '90s with</p> <p>4 version 5.0 wouldn't have a problem since the basic</p> <p>5 functionality is the same?</p> <p>6 A The functionality would not cause them any</p> <p>7 issues. How it navigates and works on their current</p> <p>8 systems wouldn't even exist.</p> <p>9 Q In other words, they would not be able to</p> <p>10 use those systems today? Current customers of Lawson</p> <p>11 Software using version 9 would not be able to use</p> <p>12 Lawson Software 5.0 today, right?</p> <p>13 A They could if they had the existing hardware</p> <p>14 in the old operating systems.</p> <p>15 Q And are you aware of a single customer of</p> <p>16 Lawson Software that would be capable of running</p> <p>17 Lawson 5.0 today?</p> <p>18 A Not 5.0, but I do know of 6.0 ones, they do</p> <p>19 exist. Nothing in major number, but they still are</p> <p>20 there.</p> <p>21 Q And would it be an available and acceptable</p> <p>22 alternative for a customer using 9.0 today to be told</p> | <p style="text-align: right;">212</p> <p>1 requisitions module, I would like to see the search</p> <p>2 functionality you were describing.</p> <p>3 So are you now in the requisitions module</p> <p>4 for 5.0?</p> <p>5 A That is correct.</p> <p>6 MR. SCHULTZ: Jimmy, could we take a break?</p> <p>7 MR. STRAPP: Sure, let's go off the record</p> <p>8 for a minute, please.</p> <p>9 THE VIDEOGRAPHER: Going off the record.</p> <p>10 The time is 4:48 p.m.</p> <p>11 (Discussion off the record.)</p> <p>12 THE VIDEOGRAPHER: Back on the record. The</p> <p>13 time is 4:49 p.m.</p> <p>14 BY MR. STRAPP:</p> <p>15 Q All right. So we're now in requisitions</p> <p>16 module 5.0?</p> <p>17 A That is correct.</p> <p>18 Q All right. And can you demonstrate for me</p> <p>19 how to run a search here?</p> <p>20 A So you can go in and do a select and find</p> <p>21 your items and then put in a group number or</p> <p>22 description like ZEZ and find the item and then drop</p>  |

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| <p style="text-align: right;">213</p> <p>1 <b>it into the specific location.</b></p> <p>2 Q Okay. So let's go back for a minute to the</p> <p>3 find the item functionality you just showed.</p> <p>4 A Uh-hmm.</p> <p>5 Q So if we search ZEZ, can you do that one</p> <p>6 more time under --</p> <p>7 A <b>Find, go down to the description, ZEZ and</b></p> <p>8 <b>press enter.</b></p> <p>9 Q And what comes up is ZEZ as well as every</p> <p>10 other item in the item master?</p> <p>11 A <b>It finds the first ZEZ.</b></p> <p>12 Q Right.</p> <p>13 A <b>And then you can select it and go to the</b></p> <p>14 <b>next one if it exists, which in this case there are</b></p> <p>15 <b>none.</b></p> <p>16 Q Right. And what are all the other items</p> <p>17 that show -- that result from the search?</p> <p>18 A <b>The items going from 776 forward</b></p> <p>19 <b>sequentially.</b></p> <p>20 Q In the item master?</p> <p>21 A <b>In the item master.</b></p> <p>22 Q Regardless of whether they have ZEZ in the</p>  | <p style="text-align: right;">215</p> <p>1 <b>point I'm not defaulting one from the item master</b></p> <p>2 <b>record.</b></p> <p>3 Q Okay. So because there's no default vendor,</p> <p>4 there is no actual vendor associated with this item?</p> <p>5 A <b>That's correct.</b></p> <p>6 Q Now, if you -- if you created a default</p> <p>7 vendor in the item master, there would be an</p> <p>8 associated item -- there would be a vendor associated</p> <p>9 with this item?</p> <p>10 A <b>That is correct.</b></p> <p>11 Q Okay. If you go back to the search screen</p> <p>12 where you did the search for Z -- I don't remember</p> <p>13 what the search was, Z something --</p> <p>14 A <b>Right.</b></p> <p>15 Q -- in the description field.</p> <p>16 A <b>Right.</b></p> <p>17 Q Can you run that search one more time?</p> <p>18 A <b>Uh-hmm, sure. Let me do a find and then --</b></p> <p>19 Q ZEZ. Are -- are there item groups in this</p> <p>20 search list or are there just item descriptions?</p> <p>21 A <b>It's technically item descriptions. The</b></p> <p>22 <b>Z -- the group is actually an error in the system.</b></p>  |
| <p style="text-align: right;">214</p> <p>1 description?</p> <p>2 A <b>That is correct.</b></p> <p>3 Q Okay. Now let's select ZEZ. Okay. Now, is</p> <p>4 there a vendor associated with this ZEZ item that you</p> <p>5 have chosen?</p> <p>6 A <b>So you -- on this screen it's designed</b></p> <p>7 <b>intentionally where we would not show a vendor number</b></p> <p>8 <b>to a user because requisitions usually get interpreted</b></p> <p>9 <b>by a professional purchaser to look at what vendors</b></p> <p>10 <b>they should select. So you transfer and you go to</b></p> <p>11 <b>requisition line detail entry. And at this point</b></p> <p>12 <b>you'll come down here and there's a -- you can put in</b></p> <p>13 <b>a suggested vendor number if you had one. You'll</b></p> <p>14 <b>notice here that the select and the vendors show up.</b></p> <p>15 <b>And then we can do a find and let's say we're going to</b></p> <p>16 <b>do it on my name, HV. Okay. This one probably has</b></p> <p>17 <b>cap sensitivity to it, so I'm going to do a select,</b></p> <p>18 <b>find, and then you would come into it and select the</b></p> <p>19 <b>one and drop it in there.</b></p> <p>20 Q Is that a suggested vendor or the actual</p> <p>21 vendor?</p> <p>22 A <b>That is the suggested vendor because at this</b></p> | <p style="text-align: right;">216</p> <p>1 Q Okay.</p> <p>2 A <b>That has to -- that should be patched in a</b></p> <p>3 <b>future release because it's not doing -- that name is</b></p> <p>4 <b>wrong on that.</b></p> <p>5 Q What should it say instead of --</p> <p>6 A <b>Item number or item in the system.</b></p> <p>7 Q When it says under the column on the right,</p> <p>8 there's Mike's item group, the ABC group, farm item</p> <p>9 group, the class group, are those item groups or are</p> <p>10 those descriptions of individual items?</p> <p>11 A <b>These are actually groups in this case</b></p> <p>12 <b>because it's coded incorrectly. They're going to</b></p> <p>13 <b>groups by mistake and it shouldn't do that.</b></p> <p>14 Q So the search that you're demonstrating</p> <p>15 right now is resulting in item groups, not resulting</p> <p>16 in particular items?</p> <p>17 A <b>That is correct.</b></p> <p>18 Q So could you go back and run the search one</p> <p>19 last time on ZEZ for the description?</p> <p>20 A <b>Sure, uh-hmm.</b></p> <p>21 <b>Hold on here, I'm getting way off. It's not</b></p> <p>22 <b>liking my old tabbing backwards. There we go.</b></p> |

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| <p style="text-align: right;">217</p> <p>1 Q All right. So we do a search now for ZEZ --</p> <p>2 ZEZ is an item group, right?</p> <p>3 A <b>That is correct.</b></p> <p>4 Q It's not -- could we do a search for an item</p> <p>5 description here?</p> <p>6 A <b>No, there's no item description because the</b></p> <p>7 <b>field is coded wrong.</b></p> <p>8 Q So you can't search either for a particular</p> <p>9 item number or for the description of an item?</p> <p>10 A <b>No, because we're looking at the group in</b></p> <p>11 <b>this instance.</b></p> <p>12 Q All right. So the functionality available</p> <p>13 in the 5.0 Lawson's system that you're demonstrating</p> <p>14 here does not contain the ability to search for a</p> <p>15 particular item number or item description within the</p> <p>16 requisitions 5.0 module, correct?</p> <p>17 A <b>On the .CV5.0. If I go to .CV2.0, it works</b></p> <p>18 <b>perfectly well. It's a bug in the system.</b></p> <p>19 Q Which version of 5.0 are we looking at right</p> <p>20 now?</p> <p>21 A <b>The 5.0 version.</b></p> <p>22 Q Okay. And that was the one that was on the</p> | <p style="text-align: right;">219</p> <p>1 <b>computer so I can read them because this is not</b></p> <p>2 <b>legible to me and I have them in electronic form in</b></p> <p>3 <b>the original e-mail.</b></p> <p>4 Q That's fine with me.</p> <p>5 A <b>That's this piece. You're looking actually</b></p> <p>6 <b>at these screen shots here.</b></p> <p>7 Q Right.</p> <p>8 A <b>Okay, go ahead. I can -- I can look at them</b></p> <p>9 <b>this way and actually see them. I think they're</b></p> <p>10 <b>better for you also.</b></p> <p>11 Q Okay. So why don't you tell me what this</p> <p>12 first screen shot is that we're looking at.</p> <p>13 A <b>We are looking at a product line within</b></p> <p>14 <b>Lawson. Its owner is Lawson. It's a system based 1.</b></p> <p>15 <b>And it tells you the creation date of the Universe</b></p> <p>16 <b>Lawson system 6.2.11 was created on 4-3 of '99 at the</b></p> <p>17 <b>military time of 14:02:30. That's what the first</b></p> <p>18 <b>screen tells you about the system.</b></p> <p>19 Q Is this -- is Lawson Universe 6.2.11</p> <p>20 different than UNIX Universe 2.0 that we were</p> <p>21 discussing earlier today?</p> <p>22 A <b>It's a completely different product.</b></p> |
| <p style="text-align: right;">218</p> <p>1 UNIX Universe 2.1 for 1995?</p> <p>2 A <b>That's correct.</b></p> <p>3 Q Is it the support version or the cyclical</p> <p>4 version?</p> <p>5 A <b>This is the support version.</b></p> <p>6 Q And the 5.0 version on the 2.0 -- Universe</p> <p>7 2.0 from 1993 doesn't have any data in it, correct?</p> <p>8 A <b>That's the problem with that system. That's</b></p> <p>9 <b>why I didn't use it.</b></p> <p>10 Q Okay.</p> <p>11 MR. STRAPP: Let me mark as the next exhibit</p> <p>12 this document.</p> <p>13 (Exhibit 5 was marked for identification and</p> <p>14 attached to the deposition transcript.)</p> <p>15 BY MR. STRAPP:</p> <p>16 Q All right. This is a document we just</p> <p>17 received from Lawson a few minutes ago. It appears to</p> <p>18 be some screen shots. And could you take a moment to</p> <p>19 review, please, these screen shots and then describe</p> <p>20 for me what they are and tell me if you know what this</p> <p>21 document is.</p> <p>22 A <b>Would you mind if I bring them up on my</b></p>  | <p style="text-align: right;">220</p> <p>1 Q Okay. So what is the Lawson Universe?</p> <p>2 A <b>The Lawson Universe takes the Lawson</b></p> <p>3 <b>application code and marries it to the operating</b></p> <p>4 <b>system within the targeted computer system hardware</b></p> <p>5 <b>and operating system. So the AS/400 iSeries version</b></p> <p>6 <b>Universe functions the same but is a radically</b></p> <p>7 <b>different underpinnings of structure compared to the</b></p> <p>8 <b>Universe for UNIX.</b></p> <p>9 Q Is this Lawson Universe 6.2.11 similar to</p> <p>10 the Lawson system foundation that's now used?</p> <p>11 A <b>It is the predecessor to that.</b></p> <p>12 Q Okay. So it's a different -- an earlier</p> <p>13 name for what is now known as the Lawson system</p> <p>14 foundation?</p> <p>15 A <b>That is correct.</b></p> <p>16 Q And on which of the systems that you</p> <p>17 demonstrated today or were prepared to demonstrate</p> <p>18 today is Lawson Universe 6.2.11 running on?</p> <p>19 A <b>On the iSeries 6.1 under the iSeries</b></p> <p>20 <b>operating system.</b></p> <p>21 Q Okay. So you brought -- you were prepared</p> <p>22 today to demonstrate the 6.1 Lawson Software release</p>       |

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| <p style="text-align: right;">221</p> <p>1 running on the IBM iSeries server; and your testimony</p> <p>2 is that on that server is running Lawson Universe</p> <p>3 6.2.11 which was created April 3rd, 1999?</p> <p>4 <b>A That is correct.</b></p> <p>5 Q All right. So let's go to the next screen.</p> <p>6 So why don't you describe for me what this screen</p> <p>7 shows.</p> <p>8 <b>A This is showing the Lawson programs, that's</b></p> <p>9 <b>what this object is, the LAW for Lawson PM -- PGM are</b></p> <p>10 <b>the Lawson compiled programs. And you can see it's in</b></p> <p>11 <b>a certain library. *.LIB is a typical name for a</b></p> <p>12 <b>library. It told you -- tells you here that the</b></p> <p>13 <b>creation date of this is 1-09-00, and it came out of a</b></p> <p>14 <b>certain AS400 and a system date.</b></p> <p>15 Q Which Lawson compiled programs is this</p> <p>16 referring to?</p> <p>17 <b>A This is -- this is listing all of the Lawson</b></p> <p>18 <b>compiled objects for our full product line, so all of</b></p> <p>19 <b>the financial systems, procurement systems and the</b></p> <p>20 <b>human resource systems.</b></p> <p>21 Q Running on which version?</p> <p>22 <b>A Under 6.1.</b></p> | <p style="text-align: right;">223</p> <p>1 Lawson Software 6.1 that you were going to demonstrate</p> <p>2 today?</p> <p>3 <b>A Yes. This is the data definition compiles</b></p> <p>4 <b>prior to you defining the actual source code that the</b></p> <p>5 <b>system will run transactions through. It's called a</b></p> <p>6 <b>DB definition. And that's what this does.</b></p> <p>7 Q Okay. Let's move on to the next screen.</p> <p>8 What does this screen show us?</p> <p>9 <b>A This is the actual source code libraries</b></p> <p>10 <b>that were -- that were delivered with that system.</b></p> <p>11 Q So the source code libraries delivered with</p> <p>12 the Lawson 6.1 software release running on the IBM i</p> <p>13 server that you were going to demonstrate today were</p> <p>14 created April 3rd, 1999?</p> <p>15 <b>A That is correct.</b></p> <p>16 Q Okay.</p> <p>17 MR. STRAPP: Let's mark this as the next</p> <p>18 exhibit, please.</p> <p>19 (Exhibit 6 was marked for identification and</p> <p>20 attached to the deposition transcript.)</p> <p>21 BY MR. STRAPP:</p> <p>22 Q So what's been handed to you now has been</p>                      |
| <p style="text-align: right;">222</p> <p>1 Q So this screen shot is giving us a date on</p> <p>2 which all of the programs for Lawson Software release</p> <p>3 6.1 were compiled?</p> <p>4 <b>A For the Ciber system that we deliver to</b></p> <p>5 <b>them.</b></p> <p>6 Q Okay. So this is specific to the particular</p> <p>7 6.1 Lawson Software that you were prepared to</p> <p>8 demonstrate that's on the IBM i server?</p> <p>9 <b>A That's correct.</b></p> <p>10 Q All right. So tell me if I've got this</p> <p>11 right. The software that you were prepared to</p> <p>12 demonstrate concerning Lawson Software release 6.1</p> <p>13 running on the IBM i server was compiled as of January</p> <p>14 9, 2000?</p> <p>15 <b>A That is correct.</b></p> <p>16 Q Okay. Let's move on to the next screen.</p> <p>17 So what does this screen show us?</p> <p>18 <b>A It's another object library, and I -- it</b></p> <p>19 <b>looks like the database was defined here. And this is</b></p> <p>20 <b>the database definitions in the data libraries. And</b></p> <p>21 <b>it looks like those are compiled on 5-3-99.</b></p> <p>22 Q Are these database definitions used in the</p>   | <p style="text-align: right;">224</p> <p>1 marked as Hvass Exhibit 6. And this is a 109-page</p> <p>2 document provided to us in the last few minutes by</p> <p>3 Lawson that has at the top of each page what looks to</p> <p>4 be a file name of WIP60_mod.txt.</p> <p>5 First, if you turn back to Hvass Exhibit 2</p> <p>6 and you take a look at the first page of that exhibit,</p> <p>7 do you see there's a description of 6.0 and 6.1</p> <p>8 applications on UNIX Universe 2.1 --</p> <p>9 <b>A Right.</b></p> <p>10 Q -- from 1995? It says in parentheses WIP60</p> <p>11 there?</p> <p>12 <b>A That's correct.</b></p> <p>13 Q And you told me earlier today, I think, that</p> <p>14 WIP60 stands for work in progress 6.0?</p> <p>15 <b>A That is my -- my professional guess at it.</b></p> <p>16 Q Okay. So do you believe that this document</p> <p>17 here, Hvass Exhibit 6, is a list of files associated</p> <p>18 with the work in progress 6.0 Lawson Software release</p> <p>19 that you were prepared to demonstrate today that</p> <p>20 resides on the HP UNIX server?</p> <p>21 <b>A Yes, it was the one that we did present</b></p> <p>22 <b>from.</b></p> |



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| <p style="text-align: right;">225</p> <p>1 Q Okay. It is the one that you presented</p> <p>2 from.</p> <p>3 A Uh-hmm.</p> <p>4 Q All right. Can you tell me what kind of</p> <p>5 information is contained in Hvass Exhibit 6?</p> <p>6 A Well, what you're looking at is -- I don't</p> <p>7 know what the WR stands for. Probably the reports --</p> <p>8 the reporting. I'm not sure what the one is. The</p> <p>9 other one looks like the size of the file potentially,</p> <p>10 actually. It's -- it's the -- now that I'm looking at</p> <p>11 it, it's the employee number or the person's</p> <p>12 initial -- name and initials of who was in the program</p> <p>13 or probably who wrote it or last modified.</p> <p>14 Q So -- so this is the column to the right of</p> <p>15 the column that has one?</p> <p>16 A Column -- yes, that is correct.</p> <p>17 And then you have what type of file is it,</p> <p>18 where is it stored, a root directory, a system</p> <p>19 directory. Generally these are in system directories</p> <p>20 since they're source codes. Then it has the size of</p> <p>21 the file, the month, continuing to the right, the</p> <p>22 date, the year, and then the actual source program</p> | <p style="text-align: right;">227</p> <p>1 page 3, if you looked at PR source -- PO source,</p> <p>2 HP990WS, has a date of January 26, 1995.</p> <p>3 Q Posrc?</p> <p>4 A That's correct.</p> <p>5 Q And what does posrc stand for?</p> <p>6 A It stands for purchase order source code.</p> <p>7 Q All right. So -- and what does the HP99WS</p> <p>8 stand for?</p> <p>9 A I do not know.</p> <p>10 Q All right. So this would lead a user to</p> <p>11 understand -- this would lead me to understand that</p> <p>12 the purchase order source code referred to here was</p> <p>13 compiled on January 26, 1995, correct?</p> <p>14 A For that specific program, yes.</p> <p>15 Q And that would be purchase order source code</p> <p>16 that's contained within the Lawson 6.0 software</p> <p>17 release that you demonstrated here today, right?</p> <p>18 A That is correct.</p> <p>19 Q All right. And the same is true for all</p> <p>20 four of these posrc with a January 26th, 1995 date,</p> <p>21 right?</p> <p>22 A That is correct.</p>                                   |
| <p style="text-align: right;">226</p> <p>1 number.</p> <p>2 The first one is the program name and then</p> <p>3 there's a specific number of the program. It's like</p> <p>4 GL source/the actual program number, FB, flex</p> <p>5 budgeting, and the program number. So it's telling</p> <p>6 you who wrote it, where it is, what the size is, the</p> <p>7 date of the compilation and what program was compiled.</p> <p>8 Q The date of the compilation is the column</p> <p>9 that has as its first row entry March 1, 1995?</p> <p>10 A That's correct.</p> <p>11 Q So that's informing us that the particular</p> <p>12 program hrsrc/emrptws was compiled on March 1st, 1995?</p> <p>13 A That is correct.</p> <p>14 Q Can you understand what that program is just</p> <p>15 from those numbers?</p> <p>16 A It's a human resource -- it's a human</p> <p>17 resource source code. That's what src stands for.</p> <p>18 And the emptws is a database file.</p> <p>19 Q What's the first program you see here on the</p> <p>20 right column that looks like it has to do with</p> <p>21 procurement?</p> <p>22 A I don't see anything on page 1, page 2. On</p>   | <p style="text-align: right;">228</p> <p>1 Q All right. What's the next thing that you</p> <p>2 see here in this document that seems to relate to</p> <p>3 procurement?</p> <p>4 A There's IC sources on page 4 on the very</p> <p>5 bottom. It says, "icsrc sicws," and those are dated</p> <p>6 January 17th of 1995.</p> <p>7 Q And the IC stands for inventory control?</p> <p>8 A Inventory control.</p> <p>9 Q Source code?</p> <p>10 A I'm sorry. Yes.</p> <p>11 Q So there's inventory control source code</p> <p>12 compiled on January 17th, 1995 that was part of the</p> <p>13 Lawson Software release 6.0 that you demonstrated</p> <p>14 today, correct?</p> <p>15 A That is correct.</p> <p>16 Q All right. And so we've talked about some</p> <p>17 purchase order source code and some inventory control</p> <p>18 source code. Is there any reference to any</p> <p>19 requisition source code or other requisition programs</p> <p>20 that you see here? Maybe I'll direct your attention</p> <p>21 to page 24.</p> <p>22 A We're getting there, yes. That would be</p> |

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| <p style="text-align: right;">229</p> <p>1 <b>good. Thank you.</b></p> <p>2 <b>On 24, rqsrc's.</b></p> <p>3 Q So rqsrc, does that stand for requisition</p> <p>4 source code?</p> <p>5 <b>A That is correct.</b></p> <p>6 Q So it's correct that the requisition source</p> <p>7 code referred to on pages 23, 24 and 25 is requisition</p> <p>8 source code compiled on January 7th, 1995 that was</p> <p>9 part of the Lawson Software release 6.0 that you</p> <p>10 demonstrated today?</p> <p>11 <b>A That is correct.</b></p> <p>12 Q And are there any other procurement modules</p> <p>13 associated with a 6.0 that you demonstrated today</p> <p>14 besides inventory control, purchase order and</p> <p>15 requisitions?</p> <p>16 <b>A Not that I know of, no.</b></p> <p>17 MR. STRAPP: Let's mark this as the next</p> <p>18 exhibit.</p> <p>19 (Exhibit 7 was marked for identification and</p> <p>20 attached to the deposition transcript.)</p> <p>21 BY MR. STRAPP:</p> <p>22 Q All right. You have in front of you now</p>   | <p style="text-align: right;">231</p> <p>1 <b>A Yes, it does.</b></p> <p>2 Q So is it correct to say that there is</p> <p>3 requisition source code compiled on October 25th, 1994</p> <p>4 that was part of the support version of the Lawson</p> <p>5 Software release 5.0 that you demonstrated earlier</p> <p>6 today?</p> <p>7 <b>A Yes.</b></p> <p>8 Q Okay. And if you look down right below that</p> <p>9 on October -- on a date of October 21, 1994, there's a</p> <p>10 program icsrc. Does that refer to inventory control</p> <p>11 source code?</p> <p>12 <b>A Yes, it does.</b></p> <p>13 Q So is it fair to say that there was</p> <p>14 inventory control source code compiled on October</p> <p>15 21st, 1994 that was part of the Lawson Software 5.0</p> <p>16 that you demonstrated earlier today?</p> <p>17 <b>A That is correct.</b></p> <p>18 Q All right. And if you scroll down to</p> <p>19 September 28th, 1994, do you see the reference there</p> <p>20 to posrc?</p> <p>21 <b>A Is that on page 1?</b></p> <p>22 Q On page 1, September 28th, 1994.</p>   |
| <p style="text-align: right;">230</p> <p>1 what has been marked as -- I think your microphone</p> <p>2 needs to --</p> <p>3 <b>A Thank you.</b></p> <p>4 Q -- Exhibit 7. And this document has as its</p> <p>5 title of each page Support_mod.txt.</p> <p>6 Does this document contain information about</p> <p>7 the support version of the Lawson 5.0 software release</p> <p>8 running on UNIX Universe 2.1 from 1995 that you</p> <p>9 demonstrated today?</p> <p>10 <b>A Yes.</b></p> <p>11 Q And are the columns in this document, do</p> <p>12 they contain the same type of information as the</p> <p>13 column in the document that we've marked as Exhibit 6?</p> <p>14 <b>A They're identical.</b></p> <p>15 Q Okay. Now, can you point to me -- well,</p> <p>16 let's look, rather than you point to me, I'll point to</p> <p>17 you, on page 1, the middle of the page, there's a date</p> <p>18 October 25th, 1994. And it refers to a program rqsrc.</p> <p>19 Do you see that?</p> <p>20 <b>A Yes, I do.</b></p> <p>21 Q And does rqsrc in this document also refer</p> <p>22 to requisition source code?</p> | <p style="text-align: right;">232</p> <p>1 <b>A September 28th. Yes, I see it.</b></p> <p>2 Q Does it refer to purchase order source code?</p> <p>3 <b>A Yes, it does.</b></p> <p>4 Q So is it accurate, then, to say that the --</p> <p>5 there is purchase order source code that's part of the</p> <p>6 Lawson Software 5.0 that you demonstrated today that</p> <p>7 was compiled on September 28th, 1994?</p> <p>8 <b>A That is true, yes.</b></p> <p>9 <b>(Exhibit 8 was marked for identification and</b></p> <p>10 <b>attached to the deposition transcript.)</b></p> <p>11 <b>BY MR. STRAPP:</b></p> <p>12 Q You now have in front of you Lawson Exhibit</p> <p>13 9 -- Hvass Exhibit 9. It has as a title at the top of</p> <p>14 each page Cyclical_mod.txt. Does this document</p> <p>15 contain information about the programs and files that</p> <p>16 are part of the cyclical version of the Lawson</p> <p>17 Software 5.0 that you demonstrated today?</p> <p>18 <b>A Yes, it does.</b></p> <p>19 Q Let me just back up for a second. Did you</p> <p>20 demonstrate for us both the Lawson cyclical -- 5.0</p> <p>21 cyclical and the Lawson 5.0 support?</p> <p>22 <b>A I did support more. Cyclical I don't think</b></p> |

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| <p style="text-align: right;">233</p> <p>1 <b>we've shown.</b></p> <p>2 Q Okay. So you haven't shown Lawson 5.0</p> <p>3 cyclical today, but you were prepared to demonstrate</p> <p>4 that as well, right?</p> <p>5 <b>A That is correct.</b></p> <p>6 Q Okay. Take a look at the second row of the</p> <p>7 first page. It has a date February 21, 1995. Do you</p> <p>8 see that?</p> <p>9 <b>A Yes, I do.</b></p> <p>10 Q And you see to the right of that it</p> <p>11 references posrc?</p> <p>12 <b>A Uh-hmm, that is correct.</b></p> <p>13 Q So is it fair to say that there is purchase</p> <p>14 order source code compiled on February 21, 1995 that</p> <p>15 was part of the Lawson 5.0 cyclical version that you</p> <p>16 were prepared to demonstrate today?</p> <p>17 <b>A Yes, it does.</b></p> <p>18 Q I'm sorry, just to correct for the record,</p> <p>19 this is actually Hvass Exhibit 8, not Hvass Exhibit 9.</p> <p>20 All right. On page 2, if you go to October</p> <p>21 13th, 1994, bottom third of the page, do you see the</p> <p>22 reference there to rqsrc?</p> | <p style="text-align: right;">235</p> <p>1 (A brief recess was taken.)</p> <p>2 THE VIDEOGRAPHER: Back on the record. The</p> <p>3 time is 5:23 p.m.</p> <p>4 MR. STRAPP: We have no further questions at</p> <p>5 this time.</p> <p>6 FURTHER EXAMINATION BY COUNSEL FOR DEFENDANT</p> <p>7 BY MR. SCHULTZ:</p> <p>8 Q Mr. Hvass, you talked about the 5.0 system</p> <p>9 and you mentioned a .CV.2.0.</p> <p>10 <b>A That's correct.</b></p> <p>11 Q What is that?</p> <p>12 <b>A It's -- it's a prior version in a different</b></p> <p>13 <b>environment that was something I was hoping to</b></p> <p>14 <b>present, but the data wasn't available, but it's a 5.0</b></p> <p>15 <b>version of our software.</b></p> <p>16 Q Okay. The version that you presented today,</p> <p>17 what was the date when it was first available?</p> <p>18 <b>A For the 5.0 system?</b></p> <p>19 Q Yes.</p> <p>20 <b>A It was sometime in the earlier time frames</b></p> <p>21 <b>of 1993 from a demonstration perspective, but we were</b></p> <p>22 <b>-- we were talking about that and showing it to -- to</b></p> |
| <p style="text-align: right;">234</p> <p>1 <b>A That is correct, uh-hmm.</b></p> <p>2 Q And does that refer to requisition source</p> <p>3 code?</p> <p>4 <b>A Yes. Yes, it does.</b></p> <p>5 Q So it's fair so say, then, that there is</p> <p>6 requisition source code compiled on October 13th, 1994</p> <p>7 that's part of the Lawson 5.0 software release</p> <p>8 cyclical version that you were prepared to demonstrate</p> <p>9 today?</p> <p>10 <b>A Yes.</b></p> <p>11 Q And a couple entries underneath that,</p> <p>12 there's a date of October 12th, 1994. It refers to</p> <p>13 icsrc. Is it fair to say that there is inventory</p> <p>14 control source code compiled on October 12th, 1994</p> <p>15 that is part of the Lawson 5.0 software release</p> <p>16 cyclical version that you were prepared to demonstrate</p> <p>17 today?</p> <p>18 <b>A Yes.</b></p> <p>19 MR. STRAPP: Why don't we take a break,</p> <p>20 please.</p> <p>21 THE VIDEOGRAPHER: Going off the record.</p> <p>22 The time is 5:17 p.m.</p>  | <p style="text-align: right;">236</p> <p>1 <b>prospects as a prerelease in the late 1992 time frame.</b></p> <p>2 Q Is that the 5.0 or 6.0 system?</p> <p>3 <b>A That is the 5.0 system.</b></p> <p>4 Q Was there a date for the 5.0 system back in</p> <p>5 1991?</p> <p>6 MR. STRAPP: Objection, leading.</p> <p>7 Q Are you familiar with any dates that are</p> <p>8 prior to 1992 for the 5.0 system?</p> <p>9 <b>A Let me think.</b></p> <p>10 MR. STRAPP: Same objection.</p> <p>11 <b>A That would be for 6.0. In -- in 1991 there</b></p> <p>12 <b>were standard 5.0 systems available. I don't know the</b></p> <p>13 <b>year, though.</b></p> <p>14 Q Okay.</p> <p>15 <b>A Without -- excuse me. The month I do not</b></p> <p>16 <b>know.</b></p> <p>17 Q When was the first year that the standard</p> <p>18 5.0 systems were available?</p> <p>19 <b>A 1991.</b></p> <p>20 Q You were shown Exhibits 8 and 7. And let's</p> <p>21 start with Exhibit 7. If you could bring that up in</p> <p>22 front of you.</p>   |

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| <p style="text-align: right;">237</p> <p>1       <b>A I do.</b></p> <p>2       Q You talked about some specific dates in</p> <p>3 Exhibit 7, for example, October 25th, 1994 where there</p> <p>4 was a reference to rqsrc. What is it talking about</p> <p>5 when there is the October 25th date?</p> <p>6       <b>A That was the date of the compilation of that</b></p> <p>7 <b>program, the last date of compilation of that program.</b></p> <p>8       Q Are there original dates of compilation for</p> <p>9 the RQ program in Exhibit 7?</p> <p>10      <b>A Yes, there are.</b></p> <p>11      Q What is that date?</p> <p>12      <b>A Well, if you go back and look at, for</b></p> <p>13 <b>example, page 43 and some of these other areas in the</b></p> <p>14 <b>system, you can go look back and look at source codes</b></p> <p>15 <b>of the 5.0 release that go back into -- for example,</b></p> <p>16 <b>on page 44, you could look at the requisition source</b></p> <p>17 <b>code of January 28th, 1992. See, this -- this system</b></p> <p>18 <b>is a support system, so this is the last date of</b></p> <p>19 <b>compilation. But if you look back earlier, there are</b></p> <p>20 <b>programs and requisition and purchase orders and</b></p> <p>21 <b>inventory that go back not to 1994 but were actually</b></p> <p>22 <b>originally compiled in 1992.</b></p>   | <p style="text-align: right;">239</p> <p>1       <b>a whole series of PO source codes listed out there as</b></p> <p>2 <b>being compiled and operational on November 8th of</b></p> <p>3 <b>1991.</b></p> <p>4       Q Is it accurate that the system would have</p> <p>5 existed then in 1991?</p> <p>6       <b>A Absolutely.</b></p> <p>7       Q If we look back to Exhibit 6, is there a</p> <p>8 similar issue with Exhibit 6, that there was an</p> <p>9 original date of compilation that would show the date</p> <p>10 when the system was first existing?</p> <p>11      <b>A Absolutely.</b></p> <p>12      Q How -- how would I tell?</p> <p>13      <b>A If you would look back, for example, let's</b></p> <p>14 <b>just find a page here with an example of something</b></p> <p>15 <b>from procurement -- these, of course, are all in the</b></p> <p>16 <b>roughly 1990 time frame and they're almost two months</b></p> <p>17 <b>apart anyways, but there's things in '94 that go back</b></p> <p>18 <b>into --</b></p> <p>19      Q Let's go to the last page, page 109.</p> <p>20      <b>A Uh-hmm. For example, on page 20th of 1993,</b></p> <p>21 <b>the first compilation of PO -- PO276 was actually</b></p> <p>22 <b>developed and compiled. There was a screen that was</b></p> |
| <p style="text-align: right;">238</p> <p>1       Q So what does that show?</p> <p>2       <b>A It shows that those programs existed and</b></p> <p>3 <b>were in the testing phase for release much prior to</b></p> <p>4 <b>the dates of pages 1 and 2. These show you the dates</b></p> <p>5 <b>that were compiled as the process of building that</b></p> <p>6 <b>system originally.</b></p> <p>7       Q Lawson had those in their control?</p> <p>8       <b>A Absolutely.</b></p> <p>9       Q Let's look at number 8, Exhibit number 8.</p> <p>10 You also looked at specific -- some specific dates on</p> <p>11 Exhibit number 8. Does Exhibit number 8 also have the</p> <p>12 same type of thing where there is an original date</p> <p>13 with respect to the modules?</p> <p>14      <b>A Well, let me explain something. We compile</b></p> <p>15 <b>all the systems at one time as a general idea, and as</b></p> <p>16 <b>they go through a cyclical or a support area, they'll</b></p> <p>17 <b>fix it and recompile it. It might be two years later</b></p> <p>18 <b>because a user has brought up an issue, an error, and</b></p> <p>19 <b>we fix that as part of the cyclical. And so you'll</b></p> <p>20 <b>see on the cyclical and support later dates. But if</b></p> <p>21 <b>you look back in the document, in this case if you</b></p> <p>22 <b>look at page 70 in the cyclical release, you will see</b></p> | <p style="text-align: right;">240</p> <p>1       <b>developed for that on September 20th, 1993 for the</b></p> <p>2 <b>WIP60 system.</b></p> <p>3       Q And that was the system that we demonstrated</p> <p>4 today, which was a 6.0.2 system, correct?</p> <p>5       <b>A That is correct.</b></p> <p>6       Q So there was a 6.0 system that was prior to</p> <p>7 the 6.0.2 system?</p> <p>8       <b>A That is correct.</b></p> <p>9       Q I think you testified on -- on your</p> <p>10 testimony that you had demoed the 6.0 system in 1992?</p> <p>11      <b>A We had talked about it and early releases</b></p> <p>12 <b>were shown to customers at that point, but the actual</b></p> <p>13 <b>official final release was 1993.</b></p> <p>14      Q Okay. So were you familiar with the system</p> <p>15 as it was in 1993?</p> <p>16      <b>A Yes, I was.</b></p> <p>17      Q And in 1993, did the system have the same</p> <p>18 functionality as you demonstrated today?</p> <p>19      <b>A Yes.</b></p> <p>20      Q You also were -- you also testified that you</p> <p>21 had demonstrated or that you were involved with the</p> <p>22 5.0 system; is that correct?</p>   |

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| <p style="text-align: right;">241</p> <p>1       <b>A That is correct.</b></p> <p>2       Q And when were you involved with</p> <p>3 demonstrating the 5.0 system?</p> <p>4       <b>A In 1991.</b></p> <p>5       Q And in 1991, did the 5.0 system have the</p> <p>6 same functionality as you demonstrated in the version</p> <p>7 that you demonstrated today?</p> <p>8       <b>A Yes.</b></p> <p>9       Q You also testified that you needed to use a</p> <p>10 -- or that you used a Telnet session to log into the</p> <p>11 systems, the 5.0 and the 6.0 systems; is that correct?</p> <p>12       <b>A That is correct.</b></p> <p>13       Q Why did you use the Telnet system?</p> <p>14       <b>A Because that was the -- that is the standard</b></p> <p>15 <b>mechanism to go into that -- into those applications</b></p> <p>16 <b>in the 5.0 and 6.0 releases.</b></p> <p>17       Q Could we have gone and visited and done an</p> <p>18 inspection of the Lawson systems at Lawson in</p> <p>19 St. Paul, Minnesota?</p> <p>20       <b>A Yes.</b></p> <p>21       Q Would it have changed any of the</p> <p>22 functionality if we had gone to St. Paul, Minnesota</p>  | <p style="text-align: right;">243</p> <p>1 software was residing?</p> <p>2       <b>A Well, it told us the date of compilations</b></p> <p>3 <b>for those different directories and what was residing</b></p> <p>4 <b>on the 6.1 release that I was prepared to show.</b></p> <p>5       Q Okay. Could you bring up the 6.1 system?</p> <p>6       <b>A Sure.</b></p> <p>7       MR. SCHULTZ: Jimmy, could you record that,</p> <p>8 please?</p> <p>9       MR. CLEMENTS: Yes, I'm recording now.</p> <p>10       <b>A This is the starting sign-on area.</b></p> <p>11       Q And this green that you see here is the same</p> <p>12 type of screen that you saw in the screen shots that</p> <p>13 were shown, correct?</p> <p>14       <b>A Yes, it's the same technology and same piece</b></p> <p>15 <b>of software.</b></p> <p>16       Q What is the screen that we're seeing here?</p> <p>17       <b>A This is a standard menus that would start</b></p> <p>18 <b>off a user using our system.</b></p> <p>19       Q Did the 6.1 system have the same</p> <p>20 functionality in terms of purchase order, inventory</p> <p>21 control and requisitions as by saw in the 6.1 --</p> <p>22 excuse me, in the 6.0 and 5.0 systems?</p>   |
| <p style="text-align: right;">242</p> <p>1 and logged directly into the sessions?</p> <p>2       <b>A No, they would be identical.</b></p> <p>3       Q Why would they be identical?</p> <p>4       <b>A Because it's the same software. There's no</b></p> <p>5 <b>difference between a Telnet session either locally or</b></p> <p>6 <b>remote.</b></p> <p>7       Q It's just for convenience?</p> <p>8       <b>A It was convenience that I used the VPN to</b></p> <p>9 <b>get through our firewalls, but if you're local, I</b></p> <p>10 <b>don't need to use that firewall and VPN software, but</b></p> <p>11 <b>it's exactly the same Telnet sessions.</b></p> <p>12       Q You had some screen shots up on the screen</p> <p>13 that counsel was asking you about, the version 6.1</p> <p>14 system. Do you recall that?</p> <p>15       <b>A That's correct, yes.</b></p> <p>16       Q What were those?</p> <p>17       <b>A Those were the -- the system compilation</b></p> <p>18 <b>dates for data directories, compiled program</b></p> <p>19 <b>directories, operating system directories that were</b></p> <p>20 <b>used in the Ciber 6.0 iSeries software.</b></p> <p>21       Q So those directories told us about the</p> <p>22 application software or the -- where the application</p> | <p style="text-align: right;">244</p> <p>1       <b>A It has additional function, but the baseline</b></p> <p>2 <b>functionality is the same. It created purchase</b></p> <p>3 <b>orders; it created requisitions; it created inventory</b></p> <p>4 <b>records and so on.</b></p> <p>5       Q Could we go to the inventory control module</p> <p>6 at 14, please? What does this screen show us?</p> <p>7       <b>A This is a submenu of a main menus showing</b></p> <p>8 <b>you the setup of the system setting up items,</b></p> <p>9 <b>inquiring, doing physical inventory, standard</b></p> <p>10 <b>functionality within the system.</b></p> <p>11       Q What is number 12 where it reads "5.0 to 6.0</p> <p>12 upgrade"?</p> <p>13       <b>A That took user database files and brought</b></p> <p>14 <b>them from 5.0 to 6.0 as part of the upgrade</b></p> <p>15 <b>procedures.</b></p> <p>16       Q How did that work?</p> <p>17       <b>A Well, what happens within the system is that</b></p> <p>18 <b>they could load setup files, items, stock,</b></p> <p>19 <b>transactions and move them from the 5.0 system, that</b></p> <p>20 <b>same data, and move it into the 6.0 system.</b></p> <p>21       Q And that was all electronic?</p> <p>22       <b>A That was all done electrically, yes.</b></p> |



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| <p style="text-align: right;">245</p> <p>1 Q Using a load program?</p> <p>2 A It was a load -- an unload and load program.</p> <p>3 Q Are there any other menus with respect to</p> <p>4 the inventory control menu?</p> <p>5 A Well, the one I would call your attention to</p> <p>6 in this case would be the interface files that were</p> <p>7 present in the system. Here, if you look, the item</p> <p>8 master load, the item location load, all of these are</p> <p>9 the systems that we can electronically load in the</p> <p>10 system. And if you remember, the 6.0 system and the</p> <p>11 6.1 system, it used the same IC911 program source from</p> <p>12 the COBOL into the RPG, and this is exactly the same</p> <p>13 program.</p> <p>14 Q On the inventory control or -- I'll back up.</p> <p>15 With any of those three programs, the IC,</p> <p>16 the PO or the RQ, can you show what fields can be</p> <p>17 searched?</p> <p>18 A Well, the same idea existed in the system</p> <p>19 where I could go into IC30, and I could go in here and</p> <p>20 inquire on a specific company, and I could go out and</p> <p>21 do a description on a specific one, and I could go out</p> <p>22 and do a widget, for example, and bring up items like</p> | <p style="text-align: right;">247</p> <p>1 case I could look at PO's by item number again just</p> <p>2 like I showed you in the UNIX system, and I could go</p> <p>3 in here and find an item. In this case, here's --</p> <p>4 here's a company, here's a specific vendor, and then I</p> <p>5 can see purchase orders out there within the system by</p> <p>6 items.</p> <p>7 Q Can I search by a vendor?</p> <p>8 A If I went out into the system and -- let's</p> <p>9 look at it this way. Would you like to go in and look</p> <p>10 at a purchase order function, and I would like to go</p> <p>11 in and look at the particular vendor pieces here and</p> <p>12 select from them. And I can look at a PO vendor and</p> <p>13 then select one of the particular vendors I want to</p> <p>14 work with. Yes, you can do that also.</p> <p>15 Q And when you search for the vendor, you're</p> <p>16 able to see the items that are associated with the</p> <p>17 vendor?</p> <p>18 A Not on that search screen. That is just</p> <p>19 looking for the vendor again, in this case by the PO</p> <p>20 vendor, AP vendors, vendor name or the EDI number of</p> <p>21 the vendor.</p> <p>22 Q So the functionality is the same as the 6.0</p> |
| <p style="text-align: right;">246</p> <p>1 I showed you in the -- in the UNIX system.</p> <p>2 Q And in the 6.1 system, it brings up the</p> <p>3 specific items that you had requested?</p> <p>4 A In this case, yes, because that's what I was</p> <p>5 looking at on the -- on the widget area.</p> <p>6 Q And I see that there's a major/minor class?</p> <p>7 A Yes, that's true.</p> <p>8 Q Is there any difference between the</p> <p>9 major/minor class and the 6.1 system and the 5.0 and</p> <p>10 6.0 system?</p> <p>11 A They're identical.</p> <p>12 Q What about the PO system that's on the 6.0,</p> <p>13 are there any differences in the PO system on the 6.1</p> <p>14 version versus the 6.0 system?</p> <p>15 A No, there's not any major differences on</p> <p>16 functionality.</p> <p>17 Q Could we go into the PO main menu, please?</p> <p>18 A Sure. Let's go back this way.</p> <p>19 Q Am I able to do a search from the PO menu in</p> <p>20 this -- in this 6.1 version?</p> <p>21 A From the -- you could look at inquiries and</p> <p>22 you could do searches there. I mean, like in this</p>   | <p style="text-align: right;">248</p> <p>1 version?</p> <p>2 A It's exactly the same.</p> <p>3 MR. SCHULTZ: Nothing further.</p> <p>4 MR. STRAPP: Can we go off the record,</p> <p>5 please?</p> <p>6 THE VIDEOGRAPHER: Going off the record.</p> <p>7 The time is 5:37 p.m.</p> <p>8 (Discussion off the record.)</p> <p>9 MR. STRAPP: No further questions.</p> <p>10</p> <p>11 (Signature having not been waived, the</p> <p>12 deposition of Jeffrey Hvass was concluded at</p> <p>13 5:38 p.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>  |



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|--------------------------|--------------------------|-------------------------|--|--|
| 192:20 193:12            | 74:13                    | 113:14 115:8,13         |  |  |
| 194:19 195:12            | <b>6.2.11</b> 219:16,19  | 147:18,21 185:9         |  |  |
| 196:2,10 202:19          | 220:9,18 221:3           | <b>9.1</b> 39:14        |  |  |
| 204:14 205:6,10          | <b>60</b> 68:9           | <b>90s</b> 44:22 107:11 |  |  |
| 206:13,21 207:2          | <b>61</b> 68:9           | 120:13 151:10           |  |  |
| 207:7 208:13             | <b>612</b> 4:9           | 181:5 185:12            |  |  |
| 210:18 224:7,14          | <b>617</b> 3:9           | 209:16 210:3            |  |  |
| 224:18 227:16            | <b>64</b> 108:20         | <b>901</b> 2:6 3:14 6:9 |  |  |
| 228:13 229:9,13          | <b>64-bit</b> 101:5      | <b>91</b> 19:21         |  |  |
| 236:2,11 240:6           | 107:22 108:2,10          | <b>913</b> 206:4        |  |  |
| 240:10 241:11            | 108:15,20                | <b>92</b> 20:12 73:10   |  |  |
| 241:16 242:20            | 109:19 110:3             | 148:4                   |  |  |
| 243:22 244:11            | 115:14                   | <b>93</b> 45:14 60:10   |  |  |
| 244:14,20                |                          | 73:9,10                 |  |  |
| 245:10 246:10            | <b>7</b>                 | <b>94</b> 60:10 73:9    |  |  |
| 246:12,14                | <b>7</b> 5:3,21 30:11    | 239:17                  |  |  |
| 247:22                   | 139:12 229:19            | <b>9406-520</b> 38:19   |  |  |
| <b>6.0.2</b> 183:6,9,21  | 230:4 236:20,21          | <b>95</b> 73:18 104:14  |  |  |
| 188:12,15,17             | 237:3,9                  | <b>96</b> 73:18 104:14  |  |  |
| 240:4,7                  | <b>7th</b> 131:9 229:8   | <b>97</b> 19:21         |  |  |
| <b>6.1</b> 11:11 13:6,21 | <b>7.1</b> 108:4,6 109:3 | <b>98</b> 72:11         |  |  |
| 24:9,12 25:17            | 113:20                   | <b>99</b> 219:16        |  |  |
| 29:14 31:2,22            | <b>70</b> 238:22         |                         |  |  |
| 33:21 34:3               | <b>75</b> 5:13           |                         |  |  |
| 39:11 49:14,17           | <b>776</b> 213:18        |                         |  |  |
| 52:9 61:14,21            | <b>8</b>                 |                         |  |  |
| 68:7,7,11,13,17          | <b>8</b> 1:18 5:22 10:6  |                         |  |  |
| 68:18,20 69:2,3          | 232:9 233:19             |                         |  |  |
| 69:4,7,12,15             | 236:20 238:9,9           |                         |  |  |
| 70:19,22 71:12           | 238:11,11                |                         |  |  |
| 72:8,14 73:9,15          | <b>8th</b> 6:7 239:2     |                         |  |  |
| 74:11,20 78:11           | <b>8.0</b> 208:5         |                         |  |  |
| 78:12 80:2               | <b>8.0.3</b> 201:18      |                         |  |  |
| 81:18 82:4,19            | <b>80</b> 4:7            |                         |  |  |
| 83:7,14 85:15            | <b>9</b>                 |                         |  |  |
| 85:19 86:11              | <b>9</b> 5:11 123:8      |                         |  |  |
| 90:13,22 91:5            | 161:11 210:11            |                         |  |  |
| 91:10,18 92:12           | 222:14 232:13            |                         |  |  |
| 94:12 95:12              | 232:13 233:19            |                         |  |  |
| 96:7 99:3 106:7          | <b>9th</b> 250:15        |                         |  |  |
| 184:15 185:13            | <b>9.0</b> 34:19 39:14   |                         |  |  |
| 220:19,22                | 112:5,6 115:6            |                         |  |  |
| 221:22 222:3,7           | 178:22 179:1             |                         |  |  |
| 222:12 223:1,12          | 189:6 193:2,6            |                         |  |  |
| 224:7 242:13             | 208:5,9 210:1            |                         |  |  |
| 243:4,5,19,21            | 210:22 211:1             |                         |  |  |
| 245:11 246:2,9           | <b>9.0.1.4</b> 111:21    |                         |  |  |
| 246:13,20                |                          |                         |  |  |
| <b>6.2</b> 70:20 71:2    |                          |                         |  |  |